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1 SCRANTON CITY COUNCIL
PUBLIC HEARING

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IN RE: FILE OF COUNCIL NO. 13, 2006 - AN ORDINANCE -
6 AUTHORIZING THE VACATION OF A PORTION OF THE RIGHT OF
WAY KNOWN AS MURPHY COURT LOCATED BETWEEN DAVIS STREET
7 AND CRANE STREET, A RIGHT OF WAY CONSISTING OF AN AREA
12.5 FEET WIDE AND 284 FEET LONG.

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Held:

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Thursday, March 9, 2006

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Time:

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6:00 p.m.

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Location:

20 Council Chambers

Scranton City Hall

21 340 North Washington Avenue

Scranton, Pennsylvania

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24 Lisa M. Graff, RMR
Court Reporter

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1 CITY OF SCRANTON COUNCIL:

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3 MS. JUDY GATELLI, COUNCIL PRESIDENT

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5 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

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MS. JANET EVANS

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MS. SHERRY NEALON FANUCCI (Arrived where noted)

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10 MR. ROBERT McTIERNAN

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12 MR. AMIL MINORA, ESQUIRE, SOLICITOR

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14 MS. KAY GARVEY, CITY CLERK

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MR. NEIL COOLICAN, ASSISTANT CITY CLERK

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1 MS. GATELLI: We'll now open the public

2 hearing. Roll call, Neil.

3 MR. COOLICAN: Mrs. Evans.

4 MS. EVANS: Here.

5 MR. COOLICAN: Mrs. Fanucci.

6 Mr. McTiernan.

7 MR. MCTIERNAN: Here.

8 MR. COOLICAN: Mr. Courtright.

9 MR. COURTRIGHT: Here.

10 MR. COOLICAN: Mrs. Gatelli.

11 MS. GATELLI: Here. This is a public

12 hearing, FILE OF COUNCIL NO. 13, 2006 - AN ORDINANCE -

13 AUTHORIZING THE VACATION OF A PORTION OF THE RIGHT OF

14 WAY KNOWN AS MURPHY COURT LOCATED BETWEEN DAVIS STREET

15 AND CRANE STREET, A RIGHT OF WAY CONSISTING OF AN AREA

16 12.5 FEET WIDE AND 284 FEET LONG.

17 And if the people that signed in don't
18 mind, I would like the developer to speak first, if you
19 don't have any objections to that. Okay. Mr. Navich.

20 MR. NAVICH: I would like my engineer
21 to speak first, Mrs. Gatelli.

22 MR. MOLINARO: Good evening. I have a
23 large scale plan of what was originally submitted with
24 the letter. Do you folks have the letter with you and
25 the half scale drawing? I have copies, if you don't

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1 have it. You don't? May I come up?

2 MR. COURTRIGHT: Please.

3 MR. MOLINARO: My name is Dave

4 Molinaro, I work for Clough, Harbour & Associates. We
5 are the engineering firm that's representing Moosic
6 Realty Partnership. The reason we're here tonight is
7 to request a vacation of the right of way of Murphy
8 Court.

9 As you know, Murphy Court connects

10 Davis Street and Kane Street, and it's located in the
11 commercial area of Birney and Davis.

12 Currently Moosic Realty Partnership has

13 acquired all of the properties that abut Murphy Court.

14 There are currently in the planning stages to develop
15 some retail development on the front of the property.
16 There's anticipated creation of 40 to 50 jobs.
17 We are under the understanding that
18 tonight was to have the second reading and that the
19 third reading was going to occur next week with a vote.
20 I'm here tonight from an engineer
21 perspective, and we put together the plan to present it
22 to you and to answer any questions you may have, as
23 well as the developer is here to speak and is available
24 for questions, as well. And that is it.

25 (WHEREUPON, Ms. Fanucci entered the hearing.)

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1 MR. COURTRIGHT: Was it the zoning or
2 the planning commission who held off on giving it to
3 you because they wanted more information? Have they
4 been satisfied yet or no?

5 MR. MOLINARO: The planning commission
6 for the county?

7 MR. COURTRIGHT: For the city, for the
8 city.

9 MR. MOLINARO: The city issued an
10 opinion of denial. We were not in attendance at that

11 meeting. We had a communication problem and weren't
12 able to come to the meeting.

13 MS. GATELLI: Do you intend on going
14 back to the planning commission?

15 MR. MOLINARO: If we're allowed to.

16 Our understanding is we're going through the procedure
17 to vacate the right of way.

18 We initially submitted the plans, which
19 then were distributed to the planning commission, they
20 rendered their opinion, then we come before you in a
21 public hearing, and then we go through the readings.

22 If we can go back to the planning
23 commission to address any questions that the planning
24 commission may have, we will be glad to do that.

25 MR. COURTRIGHT: We tabled it because

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1 they voted to deny. We tabled this. We didn't vote on
2 this yet.

3 MR. MOLINARO: Correct.

4 MR. COURTRIGHT: So, we didn't even
5 have one reading yet.

6 MR. MOLINARO: There was an initial
7 reading, I can't remember the date --

8 MS. GARVEY: We had one reading for
9 introduction and it has to go to sixth and seventh
10 order following this public hearing.

11 MS. GATELLI: It has to go to two more
12 readings.

13 MS. GARVEY: It has two more readings
14 to go, but the planning commission again.

15 MS. GATELLI: There is a planning
16 commission meeting before that.

17 MR. MOLINARO: Okay. There was a
18 planning commission.

19 MS. GATELLI: There is another one
20 before the night we have to vote on this.

21 MR. MOLINARO: Okay.

22 MS. GATELLI: So, I think it behoves
23 you to go there --

24 MR. MOLINARO: We will do that.

25 MS. GATELLI: -- and explain to the
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1 planning commission, because you were denied because
2 they didn't know what you were doing. I watched it. I
3 mean, that was basically why you were denied. I'm not
4 saying I'm in favor of you or not, but --

5 MR. MOLINARO: We have no problem going
6 back to the planning commission. My understanding was
7 they made their ruling and that was it.

8 MS. GATELLI: I don't know, but call
9 Donny King tomorrow.

10 MR. MOLINARO: We will do that.

11 MS. GATELLI: Because we certainly have
12 time before we vote on this.

13 MR. MOLINARO: Absolutely. We have no
14 problem doing that either.

15 MS. GATELLI: Is anyone else from your
16 group going to speak?

17 MR. NAVICH: Yeah. Good evening,
18 Council. Tom Navich, Moosic Realty. Again, I think we
19 have a little miscommunication here, because we tried
20 to stay in correspondence with the city as far as what
21 is going to be on the agendas.

22 Now, as far as we understood for the
23 third time is that a public hearing would be here this
24 evening with a second reading.

25 As far as what the planning city

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1 commission, which Mr. Courtright said you just tabled

2 it, as far as the county, the city county, they
3 approved it, okay?
4 So, these are basically more or less
5 recommendations that does fall on Council then to make
6 the vote on this dedication, this vacation of the
7 alley.
8 Just to give a fast background on this,
9 Moosic Realty acquired five of the properties on Davis
10 Street with the intentions it is a CN zone, with the
11 intentions of doing something to benefit the
12 neighborhood, beneficial to Scranton, the neighborhood
13 and all parties involved.
14 We were going to start developing when
15 the back property owners did approach us. All six
16 homeowners, they did admit that they were all willing
17 to sell their properties.
18 We are very easy people, we work with
19 our neighbors, we work with any -- we have developments
20 down in Moosic, we have developments we did in Old
21 Forge, New York City, Philadelphia, and one thing we do
22 is we do everything by the book. We don't try to go
23 around anything. We don't try to go over anyone's
24 head. Whatever we are instructed to do, we do.
25 The six homeowners in the back, we

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1 acquired four of the six homeowners. The other two
2 homeowners, one was under an agreement, which he had a
3 \$2500 deposit, which he kept, because our bank was not
4 able to close the loan in time.

5 The other homeowner, who we were also
6 in negotiations with at that time, did give us a price,
7 which we're also willing to give him that price that he
8 gave us.

9 Now we told them we could not close on
10 those properties. Right now we have over a million
11 dollars invested in the City of Scranton on this
12 project.

13 We could not go any further with
14 closings until we came to the city, got our proper
15 approvals, were able to see exactly what we were going
16 to be able to put on this property, and it depended on
17 what type of tenants. We're looking at all national
18 tenants to go into something like this.

19 Now, as far as the vacation of the
20 alley, after speaking with Mr. King and a couple other
21 people, they said this was just a common procedure. We
22 own both sides of the alley. They don't see any

23 problems as far as a vacation.

24 Now as far as this public hearing,

25 we're here to address whatever they might have. If

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1 they're here to ask us are we interested in dealing

2 with them with their properties, yes, we are, but we

3 cannot do anything yet until we come here to get our

4 proper approvals. Plain and simple.

5 I mean, we're here to do anything that

6 we are instructed to do. We're here to work with the

7 city, we're here to better the city.

8 And after they do speak, if there's

9 anything that has to be addressed to us, we would be

10 more than happy to understand any of their questions.

11 MS. EVANS: So, sir, can you tell us

12 definitely what retail stores are going in this area?

13 MR. NAVICH: Ms. Evans, right now

14 anytime that you're doing a development like this,

15 anytime that you have negotiations with any of these

16 national tenants, everything is in confidentiality,

17 due to the fact they don't want their name to get out

18 there, because if it did, then they might have somebody

19 trying to compete against them.

20 So, everything that is done at this
21 point, like I said, is all in confidentiality, until we
22 do have the proper approvals.
23 When we do have our approvals, at that
24 time the city planning, Council, everyone will have
25 exactly what would be going there on that corner with

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1 their approvals.

2 MS. EVANS: I do -- you mentioned two
3 property owners whose properties have not yet been
4 purchased.

5 MR. NAVICH: Right.

6 MS. EVANS: And my concern is for them
7 that they're not knowing, our not knowing what is going
8 to be located in this area is certainly problematic to
9 them, and I understand they're individuals that, you
10 now, who have resided, at least one of these families,
11 in that home for many, many years, and it's not that
12 they're unwilling to sell and relocate, but that, you
13 know, there's been no communication from you for a
14 very, very long time, and naturally they would be
15 concerned, as I would be concerned, if it were my
16 property, what's going in there, and my property still

17 hasn't been purchased, and, you know, as long as that
18 continues, how are they to know truly that it ever will
19 be?

20 MR. NAVICH: Well, very simple,

21 Ms. Evans, is that when we first, like I said,
22 purchased the first five properties in the beginning,
23 we were in contact with every neighbor there. We went
24 to every door and knocked on the door and we told them
25 at that point we were going to be putting up probably a

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1 strip mall with retail shops in a strip mall.

2 What retail shops? We did not have an
3 answer, because, again, that would be in all
4 confidentiality, but they would be retail shops.

5 Then when they came forward and said we
6 want to sell our back properties, that basically
7 changed our whole outlook.

8 Now instead of going with just a strip
9 mall with retail shops, now we're going to have more
10 land to develop, so now we're going to pursue other
11 tenants, AAA tenants, A tenants, whatever you may
12 call them, in order to provide for that area. And we
13 would be putting something in that area that would be

14 needed.

15 And which, like I said, look at our
16 neighbors next door in Moosic with the malls coming in,
17 what they did up there at Glenmaura, we're not going to
18 go down there and put a three-story mall in. We're
19 going to put something there that's going to be
20 accessible for the traffic, accessible for the
21 neighborhood and it's going to be something that's
22 going to be utilized.

23 And like I said, at this time it's hard
24 to say, well, what's going to go there.

25 MS. EVANS: I can understand that, and

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1 I agree with you, I think it would be a fabulous
2 addition, but I still have my concern for these two
3 homeowners, because they would be, if you did not buy
4 them out, they're going to be right in the middle of
5 all that traffic.

6 So, I, you know, my own inclination
7 here, my concern is for them, and my inclination is
8 that you would deal with them, as you did with everyone
9 else, and get that cleared away before you went any
10 further.

11 MR. NAVICH: Right now, Ms. Evans, we
12 have two choices. Number one, if we do not get the
13 dedication of the vacation of the alley, we are still
14 going to be pursuing to put something in the front
15 property.
16 Now, again, and I don't want to bring
17 this up, because I hate to have any kind of negativity.
18 If these two clients would go to the original
19 agreements which they first planned on, we'd sign those
20 agreements tomorrow.

21 But when you have an agreement from
22 someone that says I want \$150,000, I want \$120,000,
23 then you're getting a letter from an attorney saying
24 you want \$470,000, in our eyes, that's a little bit of
25 extortion.

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1 I mean, we're here to work with them,
2 but, again, we can't go and work with something we
3 don't have.
4 And like I said, right now we're at a
5 starting point of the vacation of the alley. Once we
6 have that, we can -- all we can do at that point is
7 construct the front end of the property and that's what

8 we're here for this evening, but we would love to go

9 into negotiations with the Donlans and with the

10 Howards. That was never not our intentions.

11 MS. GATELLI: Mr. Navich --

12 MS. EVANS: I'm sorry.

13 MS. GATELLI: Go ahead.

14 MS. EVANS: I don't know any of the

15 costs involved, I haven't discussed that with anyone, I

16 was told only that there, you know, a sale was

17 proposed, you were about to go to closing, then

18 everything was dropped, and they hadn't heard from you

19 in over a year, and I was told they were only looking

20 for a fair and reasonable price for their homes.

21 I wasn't quoted any dollar amounts

22 whatsoever, but I'm sure you can understand their

23 concerns and my concern for them. I'd love to see you

24 there, that's not the issue, I just want to make sure

25 that these two families are properly taken care of.

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1 MR. NAVICH: And we have every intent

2 to. But, again, if we are only going to be able to

3 develop the front part of the property and not get this

4 vacation, we are not going to be able to do anything

5 for them. Plain and simple. That's the way it's --
6 you know? We are going to develop the front or we're
7 going to develop the whole thing. And if we're not
8 going to get the vacation, then we're only going to be
9 developing the front property, which means we're not
10 going to be able to give Mr. Donlan or Mr. Howard
11 anything at all or offer them anything at all.

12 MS. EVANS: So, in other words, those
13 properties, let's say, pin, what is it, 166.20-030-049
14 and the one directly north of it and those to the west
15 of it, none of that would be developed?

16 MR. NAVICH: Right now it is
17 residential, so what we would have to do, because we
18 did make purchase of homes and demolitions of homes, if
19 the city did not, like I said, vacate the alley, then
20 we would have to go on that back property and do some
21 type of housing.

22 We can't sit there on purchases and
23 just expect the sit and not do a thing with it.

24 MS. EVANS: Okay. So, what you're
25 saying is you would develop a strip mall or whatever it

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1 may be to the south of Murphy Court, and to the north

2 of Murphy Court, you would develop a housing.

3 MR. NAVICH: That's the only options we

4 would have. That would be the only options we would

5 have. That would be the only option.

6 MS. GATELLI: That was my question.

7 Everything west of Murphy Court is residential?

8 MR. NAVICH: Everything would be -- the

9 west side? It would be everything behind the alley.

10 MS. GATELLI: That's all residential.

11 MR. NAVICH: That's residential,

12 correct.

13 MS. GATELLI: And the front is

14 commercial?

15 MR. NAVICH: All CN zone, correct, yes.

16 And then all the properties around us, which you have

17 the Liberty Bank, commercial, CVS, commercial,

18 Georgetti's, the gas station. I mean, the whole area

19 is commercial, the property across the street.

20 So, we're not looking to go in there in

21 the middle of a neighborhood and disrupt hundreds of

22 families there. It was never our intentions. That's

23 why we were in communication.

24 But like I said, until it came to a

25 point we are at a standstill until we do go through

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1 Council with this vacation, because that basically is
2 going to tell us yea or nay on what we could do.

3 MS. GATELLI: And what if we get the
4 vacation and you don't get the zoning change?

5 MR. NAVICH: That, again -- but I don't
6 see -- not for anything, Mrs. Gatelli, but at that
7 point if we did have -- we did acquire that and we did
8 come into agreement with the other two and the
9 surrounding neighbors, at that point, which that is a
10 whole different ball game at that point.

11 Right now, again, we are only here for
12 the vacation of the alley. That is the purpose of the
13 public hearing this evening. I mean, anything beyond
14 that would be matters which we would be all in
15 discussions with.

16 MS. GATELLI: What would happen if we
17 vacate Murphy Court, we all agree, and we give you the
18 vacation of Murphy Court, and then you go to change the
19 zoning back there, and the zoning board denies you?

20 MR. NAVICH: At that point again then,
21 we would be happy to just do with something in a
22 residential area. We would have to comply by the laws

23 of the city.

24 MS. GATELLI: Okay.

25 MR. NAVICH: Right now, again, we own

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18

1 both sides of Murphy Court.

2 MS. GATELLI: Yes, yes, I saw --

3 MR. NAVICH: And that court is useless

4 to the City of Scranton, it's useless to the two

5 abutting neighbors.

6 So, no matter what we do, it's not

7 going to be in any way, shape or form --

8 MS. GATELLI: The real issue is the

9 zoning change.

10 MR. NAVICH: Exactly, which, like I

11 said, that's a whole different phase. That has nothing

12 to do with this hearing or anything at this point.

13 MS. GATELLI: And I believe a zoning

14 change has to come back to Council, too.

15 MR. NAVICH: All right.

16 MS. GATELLI: The zoning board cannot

17 do that.

18 MR. NAVICH: Exactly. Like I said,

19 that's something not for this meeting, though.

20 MS. GATELLI: Okay. Anybody else have
21 questions? Okay. The next speaker is Edwin
22 Abrahamsen, Jr.

23 MR. ABRAHAMSEN, JR.: Good evening,
24 Madame President and Council. My name is Attorney
25 Edwin Abrahamsen, Jr. I'm here on behalf of William

19

1 and Donna Howard, who as you heard already live at
2 3109 Cedar Avenue, which is one the properties that
3 surrounds this area.

4 And it's particular -- the whole area
5 is Birney Avenue, Davis Street, Cedar Avenue and Crane
6 Street, and then Murphy Court is right in the middle.

7 This is probably the busiest corner in Minooka, as some
8 of you may be familiar with.

9 The most important thing that we're
10 here with, as you know, dealing with the vacation of
11 Murphy Court. The Pennsylvania Courts have considered
12 this issue, and they have found consistently that it is
13 illegal to vacate a court to purely dedicate it to a
14 private corporation. It's illegal. And I actually
15 have copies, if I may approach. I have a case that
16 supports that position, as well, for you.

17 So, as the case we have here, Moosic
18 Realty Partnership is a private corporation that has
19 come to the city requesting this vacation for their
20 use, development of the property.

21 But even if we step back from that, and
22 if you don't believe in the illegality of this
23 situation, say it was illegal, we need to look at the
24 entire community that's involved here and what the
25 vacation of Murphy Court would do to them.

20

1 On the other side of Cedar Avenue it's
2 St. Joseph's Church, which you may or may not know has
3 recently been combined with Taylor churches, as well,
4 so the community has expanded greatly.
5 And this particular time of the year,
6 the crowds are enormous that come to the church there,
7 and they use Murphy Court all the time. People park an
8 drive through Murphy Court, use it as an access off of
9 Davis Street and Crane Street to use it to access St.
10 Joseph's Church. So, it's used on a daily basis.
11 Not only that, it's also used by the
12 Howards to get to their property off of Davis Street
13 and Crane Street, and their neighbors, the Donlans, are

14 also here, as well, they use it on a daily basis.

15 But you'll hear -- I believe that there

16 are many other members of that Minooka section that are

17 here that use it, as well. It's not just a purely

18 commercial area.

19 And the safety of the people that go to

20 St. Joseph's Church really would be put in question if

21 this Murphy Court was cancelled or was vacated.

22 So, not only is it illegal, but the

23 safety of the residents of Minooka is in question here,

24 the safety of the parishioners of St. Joseph's Church

25 are at issue here, as well.

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1 And then finally we have this issue of

2 Moosic Realty Partners dealing with the Howards and the

3 Donlans and what happen, and I think it's important

4 that you understand the full background of what

5 happened there.

6 It was well over a year that Moosic

7 Realty Partnership entered into an agreement of sale

8 with the Howards, and then they refused to close, and

9 that happened over a year ago, the refusal to close.

10 They violated the agreement of sale.

11 Since that time, they've had no contact
12 with my clients, the Howards. We have sent them
13 letters, and the Howards are working with the Donlans,
14 as well, to try to both sell their properties to Moosic
15 Realty, but they've had no contact, not even an
16 identification that they're waiting for bank approval
17 or anything to that effect.

18 So, it's important that you know it's
19 not the picture that Moosic Realty has attempted to
20 paint here. They haven't been working with all the
21 people in the area.

22 And I think President Gatelli really
23 hit the nail on the head, in that, even if you vacate
24 this court, they still have a zoning issue. It really
25 seems like they put the cart before the horse.

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22

1 They should go and attempt to have the
2 zoning changed to whatever they may need for the entire
3 property, not just for one side of Murphy Court.
4 Because if you vacate Murphy Court and
5 then they can't get the zoning, well, then you've given
6 up Murphy Court and they have no plans for the entire
7 property.

8 And it would make sense to me that you
9 want to know what the plans are for this whole section
10 of Murphy Court, both sides, before you were to
11 actually vacate it.

12 So, it's not a dead court. It's not
13 like it's buried in some corner of Scranton where no
14 one uses it. It's used all the time. So, I'd request
15 that this ordinance be denied, that you vote not to
16 approve the vacation of Murphy Court. Thank you.

17 MS. GATELLI: Thank you very much.

18 Chris Powell.

19 MR. POWELL: Good evening, Council. My
20 name is Chris Powell, I'm a property owner. I'm the
21 vanguard of the southwestern side of Crane Street, and
22 I own the whole entire block there and the 300 feet,
23 and I am the other neighbor here, and I am very
24 concerned about losing ten of my friends and residents
25 that have lost their homes that had to move. All of

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1 them, I believe, have moved out of the city, and many
2 of these people feared of what was going in next to
3 them sold. It became a domino effect.

4 And my concern with the vacating of the

5 property is it's to a private organization. I'm aware
6 of many vacated allies or courts in the city for public
7 use goods, reasons, such as playgrounds and educational
8 institutions, for example, but I've never heard of one
9 being vacated, a used alley for a private organization
10 for profit, simply because they bought all the property
11 around it.

12 I will give you an example. I would
13 assume it's about ten foot wide by close to about 300
14 feet, which the alley would be, and an example of
15 property that's sold on the side across from me on
16 Crane Street, approximately 45 feet by 125 feet, let's
17 say that's 6,000 square feet, and that's giving them
18 some, and the alley is 300 feet by 10 feet, there's
19 3,000 feet. That property in the paper went for
20 \$210,000. They needed to raise that house, remove the
21 debris, backfill, and that would cost approximately
22 another \$10,000, so they invested \$220,000.

23 We are going to give away half of what
24 -- half of the square foot, just offer it to them for
25 -- without knowing what's going there, without knowing

24

1 if their plans is to change to a 24-hour zoning if they

2 can get the whole block?

3 And so, it's a major concern. I'm the

4 vanguard for everyone behind me on the 3200 block of

5 Birney Avenue. I may not speak for them right now. We

6 haven't started our petition drive yet on that.

7 But another concern I have is there's a

8 storm drainage on the end of the alley on my property,

9 which since the trucks have been going back and forth,

10 I believe that it closed that, which has flooded my

11 property, and that is a concern, what are the

12 consequences if we turn it over to them, will they

13 continue to maintain that?

14 And the main concern is that -- our

15 concern is that they're planning to put a 24-hour

16 business in there.

17 We have commercial neighbors all around

18 us, which we applaud. The bank has been a good

19 neighbor, CVS has been a good neighbor. Their

20 lighting, they changed to make sure it's not affecting

21 people, but we have not heard anything from this

22 organization, and it's just -- to give away public

23 property that is worth by fair market value at least

24 \$110,000 is not in the city's best interest.

25 MS. GATELLI: Thank you, Mr. Powell.

1 Marguerite Coyle.

2 MS. COYLE: My name is Marguerite

3 Coyle, and I live at 3207 Birney Avenue, directly

4 across from Chris, caddy corner from the proposed

5 development.

6 And I think what really bothers all of

7 us is that they're not saying what they're going to put

8 there, and Davis Street is already overcrowded.

9 The traffic patterns are horrendous.

10 There have been people hit by cars. Chris' son was hit

11 by a car last year. The traffic is -- it's out of

12 control.

13 They're saying it's commercial, yes,

14 it's neighborhood commercial, Birney and Davis, and

15 they bought six homes that people lived in and tore

16 them down, and now they want to put up a strip mall, at

17 least that's what they're saying, it's a strip mall.

18 They don't have the zoning for the

19 other half. They want the alley vacated. And it's

20 just without knowing what they want to put in there,

21 how can we say, you know, okay, vacate the alley and

22 give them the property?

23 We don't want a Route 6 back there.

24 There's still people that live there. They said the

25 church is there. The church is the center of the

.

26

1 community, and I think there needs to be more thought

2 and it should be denied. Thank you.

3 MS. GATELLI: Is there anyone else that

4 would like to speak before Council? Mrs. Pocius.

5 MS. POCIUS: Kathy Pocius, 2933 Cedar

6 Avenue. I'd just like to echo everyone else's comments

7 that vacating that alley will be detriment to the

8 neighborhood. We still have a neighborhood there.

9 And, again, not knowing what will go in

10 in time, it's a great concern to us. And maybe they'll

11 be good neighbors, and then again, you never know.

12 Again, as Chris said, we don't want a

13 24-hour gas station or whatever. I mean rumors are

14 rampant. If they could just tell us what they have

15 planned for it, you know, then we can take it from

16 there, but without knowing, I'm dead set against it.

17 Thank you.

18 MS. GATELLI: Thank you. Anyone else?

19 I'm not going to allow you to speak again, because I

20 don't want this to be a rebuttal kind of thing, if you
21 don't mind. Any other neighbors here that care to
22 speak? Okay. Thank you very much for coming. The
23 public hearing is over. We will recess for five
24 minutes before our regular meeting.

25

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27

1 C E R T I F I C A T E

2

3 I hereby certify that the proceedings and
4 evidence are contained fully and accurately in the
5 notes taken by me on the hearing of the above cause and
6 that this copy is a correct transcript of the same
7 to the best of my ability.

8

9

10

LISA M. GRAFF, RMR
11 Official Court Reporter

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1 SCRANTON CITY COUNCIL MEETING

2

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4

5 Held:

6 Thursday, March 9, 2006

7

8

9 Time:

10 6:30 p.m.

11

12

13 Location:

14 Council Chambers

15 Scranton City Hall

16 340 North Washington Avenue

17 Scranton, Pennsylvania

18

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23 Lisa M. Graff, RMR

24 Court Reporter

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2

1 CITY OF SCRANTON COUNCIL:

2

3 MS. JUDY GATELLI, COUNCIL PRESIDENT

4

5 MR. WILLIAM COURTRIGHT, VICE-PRESIDENT

6

7 MS. JANET EVANS

8

9 MS. SHERRY NEALON FANUCCI

10

11 MR. ROBERT McTIERNAN

12

13 MR. AMIL MINORA, ESQUIRE, SOLICITOR

14

15 MS. KAY GARVEY, CITY CLERK

16

17 MR. NEIL COOLICAN, ASSISTANT CITY CLERK

18

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20

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22

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3

1 MS. GATELLI: Okay. Please stand for

2 the Pledge Of Allegiance. Please remain standing for a

3 moment of reflection. Roll call.

4 MR. COOLICAN: Mrs. Evans.

5 MS. EVANS: Here.

6 MR. COOLICAN: Mrs. Fanucci.

7 MS. NEALON FANUCCI: Here.

8 MR. COOLICAN: Mr. McTiernan.

9 MR. MCTIERNAN: Here.

10 MR. COOLICAN: Mr. Courtright.

11 MR. COURTRIGHT: Here.

12 MR. COOLICAN: Mrs. Gatelli.

13 MS. GATELLI: Here. Mrs. Garvey,

14 dispense with the reading of the minutes.

15 MS. GARVEY: 3-A, CONTROLLER'S REPORT

16 FOR THE MONTH ENDING JANUARY 31, 2006.

17 MS. GATELLI: Are there any comments?

18 If not, received and filed.

19 MS. GARVEY: There are no clerk's notes

20 tonight.

21 MS. GATELLI: I just have a few things.

22 The public hearing went a little late, so I'll cut it

23 short.

24 I just wanted to tell you that we met,

25 our committee for the non-profits met at 4:30 this

.

4

1 evening, and we had quite a few people show up.

2 We're going to each get a list of the

3 non-profits, and for the next meeting, delineate which

4 ones that we think are appropriate and which ones we

5 think are not appropriate, because there are some on
6 there that, like little leagues, that we don't feel as
7 though we're going to ask for payment in lieu of taxes.
8 We decided that we're going to go to
9 the hospitals first and then to the educational
10 institutions. Anyone is welcome to attend the
11 meetings. The next one will be March 23 at 4:30.
12 I'd like to also acknowledge that there
13 are some organizations that are volunteering before we
14 even ask, and we got a check for \$1,000 this week from
15 the Boys and Girls Club, and they're to be commended
16 for that.
17 The 2006 paving list is being compiled.
18 I would appreciate if anyone had any streets or allies
19 that they would like paved, to please call the city
20 clerk's office. Kay loves me when I do that. And,
21 also, Council members, if you get these on your
22 travels, please forward them to the office so we can
23 make our own list of streets that Council would like to
24 have done for the coming year.
25 The sign at Archbald Street has been

.

5

1 hung. There was one slight error, but we're going to

2 disregard it. We're just happy that the sign is up,
3 and we'd like to thank Mr. Parker for that.
4 We got a letter from Attorney Kelly at
5 the Recreation Authority. I had sent a letter that
6 Council would like the playground named after Morris
7 Jackson, and the Recreation Authority said that it is
8 not up to them, it is up to Mayor Doherty, so I would
9 like Kay to send that on behalf of Council to the Mayor
10 that we would like something at the park for Morris,
11 whether it be a plaque or a tree planted or something
12 in memory of Morris Jackson.
13 I received letters from Gaynor Cawley
14 and Fred Belardi in response to my EMS letter, and
15 they're going to take the suggestions and see if they
16 can do something at the state level.
17 And Southern Union, I talked to Lee
18 Namey, and they don't want to go through the monitor,
19 Mrs. Evans, for whatever reason, and, you know, they
20 want us to pursue it.
21 According to Mr. Namey, he said that as
22 long as they make the grade, so to speak, in the first
23 year, that's all they're obligated to do. So, I think
24 that we need to send a letter to Southern Union and ask
25 them how many people are there, what they intend to do

.

6

1 with the building, are they staying, are they leaving,
2 are they leasing, who are they leasing to, et cetera,
3 and I think that we should do that on behalf of
4 Council, and if anybody else has any questions they'd
5 like asked, please tell Mrs. Garvey before you leave
6 tonight and hopefully we will get an answer posthaste.

7 One good thing was the road was opened.

8 Did anyone see that? Isn't it wonderful? It's only
9 about three years later, but we're very happy that it's
10 open and I hope that it stays that way.

11 Another thing that came up at our
12 non-profit meeting was the fact that assessments on
13 properties which are done at the county level are being
14 done on a rather regular basis where assessments are
15 being lowered, and in some instances, they are being
16 lowered by half, and some of them are rather large
17 businesses and they do it, I believe, every Wednesday.

18 There are assessment hearings, and this
19 is not good for the school district or the city,
20 because we are getting our revenue from property
21 assessments, and if they're cutting big businesses in
22 half, we're going to get half of what we should get,

23 and then the property owner carries the freight once
24 again .

25 I'm not sure what I think we should do

.

7

1 about it, but I think that someone in the city

2 government should be assigned to go to the assessments

3 and possibly give testimony why they shouldn't below

4 lowered as much as they are or maybe even at all.

5 So, I would like my colleagues to think

6 about that, and Attorney Minora, because I think

7 someone should be appointed to go there every time they

8 have an assessment hearing so that the city is aware of

9 what's being lowered and what isn't.

10 Now, I don't know how we go about doing

11 it, so if anyone has any suggestions, I'm certainly

12 open to that. I can't go and no one up here can go,

13 because we all work, but I really thing that --

14 MR. MINORA: Someone from the

15 solicitor's office would make a logical choice, because

16 they would understand the legal proceeding itself and

17 what evidence will be considered to reduce it or not

18 reduce an assessment during an assessment appeal, so if

19 I had to make a suggestion, that would be mine.

20 MS. GATELLI: All right. Well, then
21 maybe we can send a letter. I'll certainly do a
22 motion, absolutely, that we send a letter to the Mayor
23 telling him that we would like someone assigned
24 preferably from solicitor's office to represent the
25 city at the tax assessment hearings that are conducted

.

8

1 in the county.

2 MS. NEALON FANUCCI: Second.

3 MS. GATELLI: On the question?

4 All in favor.

5 MS. EVANS: Aye.

6 MS. NEALON FANUCCI: Aye.

7 MR. MCTIERNAN: Aye.

8 MR. COURTRIGHT: Aye.

9 MS. GATELLI: Aye. Any opposed? The

10 ayes have it and so moved. And I only have one more

11 thing. I know Mr. Spindler gets nervous when I talk

12 too much.

13 We have one more student. This is

14 really taking off this student task force, and I'm

15 really very proud of all of you for getting involved,

16 and we have one more, and I have several more at home

17 that would like to come, so maybe once you all get
18 appointed, you can take turns or whatever so that
19 you're not all obligated to be here every week, but you
20 can do that among yourselves.

21 And I know that Mr. Rogan and
22 Mr. McTiernan have agreed to have meetings in the
23 schools, and the children who are on the Council will
24 have the meetings and take input from the rest of the
25 students about things in the city. So, I really think

9

1 it's going to be a wonderful thing.

2 And the new person we have with us
3 tonight is from Scranton High School. They're
4 certainly hogging all of these up, Mr. McTiernan and
5 Mrs. Evans. You're really pushing it down there. But
6 he's from Scranton High School, and his name is
7 John Gilbride.

8 I would like to make a motion that we
9 appoint John Gilbride to the youth task force.

10 MS. EVANS: Second.

11 MS. GATELLI: On the question?

12 MR. MCTIERNAN: Matt Butler is also
13 here with us, and he was unable to come. Matt, raise

14 your hand.

15 MS. GATELLI: Oh, okay. We didn't

16 appoint him yet?

17 MR. MCTIERNAN: I can't remember. You

18 weren't here the night we announced --

19 MS. GATELLI: Well, we'll will put your

20 name on there, too, Matt Butler. Another Scranton

21 High?

22 MR. MCTIERNAN: Yes.

23 MS. GATELLI: Oh, my goodness. And

24 they will both be appointed this evening.

25 MS. EVANS: A young man, I believe,

.

10

1 that looks forward to entering the Armed Service right

2 after graduation.

3 MR. BUTLER: Yes, ma'am.

4 MS. GATELLI: All in favor.

5 MS. EVANS: Aye.

6 MS. NEALON FANUCCI: Aye.

7 MR. MCTIERNAN: Aye.

8 MR. COURTRIGHT: Aye.

9 MS. GATELLI: Aye. Opposed? The ayes

10 have it and so ordered. Welcome. We love having you.

11 Does anyone else have anything before we --

12 MR. COURTRIGHT: Mrs. Gatelli, I know

13 this is kind of out of order, but if I may, a couple

14 weeks back Mrs. Krake came to the podium and spoke

15 about inaccurate reporting, and I was a victim of that

16 inaccurate reporting last week.

17 I was called by The Times and asked was

18 I able to make the meeting, and I said I absolutely

19 was, but there were other Council members that weren't,

20 and then the following day it was in the paper that I

21 couldn't make it because of the weather.

22 Now, my understanding is that possibly

23 today they corrected that. I am proud of the fact, I'm

24 going into my third year on Council, and I've only

25 missed one Council meeting, and the only reason I

.

11

1 missed it was my 25th wedding anniversary, and my wife

2 and I went on vacation. So, I certainly was able to

3 make it last week. The snow did not stop me. I just

4 wanted to get that squared away.

5 And if I could bring this up, I was

6 going to bring this up last week when I was able to be

7 here, but I didn't.

8 I'm very proud of three West Scranton
9 wrestlers, Matt Sheerin, Chris Kobrynich and Eric
10 Shribes, they won district championships again, and I
11 just wanted to congratulate them on their victories.
12 That's it. Thank you.
13 MS. GATELLI: Anyone else?
14 MS. EVANS: Yes.
15 MR. MCTIERNAN: If I may, Scranton High
16 School, since we are talking about district
17 championships, the girls basketball team recently won
18 the District II Championship, and we're also very proud
19 of the girls basketball team. That's the first
20 district high championship in the Scranton High
21 School's history on either the boys or the girls
22 basketball court.
23 And to also emphasize the fact that
24 there are also things going on at Scranton High School
25 that are not athletic, our speech and debate team in
.
12
1 the recent past won a state speech and debate
2 tournament, so there are also things going on at
3 Scranton High School that are not strictly athletic.
4 We're proud of those, as well. So, congratulations to

5 our folks, as well. Thank you, Mrs. Gatelli.

6 MS. GATELLI: Great. Anyone else?

7 MS. EVANS: Yes. I had requested from

8 Ms. Hailstone a report on the Mulberry Street corridor

9 project and funding for sidewalks in North Scranton. I

10 do have additional sidewalks to add to that request

11 that I'll reference later this evening under motions;

12 however, since she has failed to respond, and I don't

13 even recall when the original -- oh, here it is,

14 January 30, Councilwoman Evans requested the

15 possibility of funding, et cetera, et cetera, and a

16 second letter was sent on February 24, and it is

17 Thursday, March 9 and no response was received, so, I

18 am asking if we could send a third letter on behalf of

19 City Council, rather than solely myself. I'm hoping

20 that may make the difference, and so I'll make that in

21 the form of a motion that a third letter be sent.

22 MS. GATELLI: I'll second that. On the

23 question? All in favor.

24 MS. EVANS: Aye.

25 MS. NEALON FANUCCI: Aye.

.

13

1 MR. MCTIERNAN: Aye.

2 MR. COURTRIGHT: Aye.

3 MS. GATELLI: Aye. Opposed? The ayes

4 have it and so moved.

5 MS. EVANS: And just one more thing, I

6 had also asked that our neighboring communities,

7 Dunmore, Throop, Moosic, Taylor, et cetera be included

8 in the Scranton-Abingtons Planning Association, and we

9 did receive a response of sorts from Mrs. Prowell,

10 however, she is going to provide further information in

11 writing, but she did indicate, and this is in response

12 specifically to Mr. Sbaraglia, who originated this

13 idea, and I merely followed up on it, but the response

14 has been regarding inviting our neighbors into the

15 plan, the process is much too far along to do anything

16 at this point; however, Mrs. Prowell said that they

17 were all contacted in the summer about this it, and she

18 also followed up with the Dunmore Councilmen, so they

19 all did have an opportunity to get on board if they

20 were interested.

21 She also indicates there were several

22 viewpoints on the committee, and the consensus was that

23 the process works best when you have no more than ten

24 participants, because when you get bigger, it becomes

25 much more difficult to make decisions together and to

.

14

1 agree on things, and hence, decisions take longer.

2 And finally she said perhaps Dunmore or

3 Throop or Old Forge can plan with rural areas next to

4 them if they would like to get involved. And that's

5 it.

6 MS. GATELLI: Thank you. One more

7 thing that I forgot, I talked several weeks ago about

8 an employee of the Sewer Authority that had passed

9 away, and they will be having a benefit for him, his

10 name is Jack Williams, and his sister-in-law works in

11 central records in City Hall, and his wife is an

12 employee of the school district, and the daughter is a

13 student of yours, Mr. McTiernan, at Scranton High

14 School, she's a young girl in tenth grade that lost her

15 dad, and it will be at the Dante Club, 1916 Prospect

16 Avenue in lovely South Scranton, and it will be Sunday,

17 March 19 from 12:30 to five. I hope you can all come.

18 It's \$10, and we have to tickets in the City Clerk's

19 office, and I also have tickets for anyone that's

20 interested.

21 The first speaker is Andy Sbaraglia.

22 MR. SBARAGLIA: Andy Sbaraglia, citizen

23 of Scranton. Fellow Scrantonians, thank you, Janet,

24 for following up a little on that. But I'll tell you

25 one thing, if we said no, they would have nobody up

.

15

1 there. They only got 20,000 in that whole area.

2 Without us, they're nothing.

3 Okay. Let's go on to something on the

4 agenda. I believe it's 5-D, For introduction, a

5 resolution authorizing the Mayor and other appropriate

6 city officials for the city of scranton to enter into a

7 loan agreement and make a loan for the urban

8 development action grant repayment loan program,

9 project no. 400.14 in an amount not to exceed \$550,000

10 to 500 lackawanna avenue project again.

11 Now, let's look at this project. The

12 governor gave them \$10 million. So far, without this,

13 I believe you gave them OECD funds in the amount of a

14 half a million for development of this project to come

15 up with plans.

16 Now they want another loan, a UDAG

17 loan, no interest loan, not even interest on this loan,

18 so, hence, they will be taking the money away from

19 other projects that people that do pay money, and then

20 their only stipulation is that they spend \$2 million
21 out of that \$10 million for this loan.
22 But we have a lot more invested in
23 this. I would like Council to find out who's paying
24 for the condemnation proceedings, the City of Scranton
25 or the developer, because that's awful important,

16

1 because we got a lot of lawyer fees involved with this.
2 And if you're familiar -- Judy, I guess
3 you worked over there. You're familiar with this
4 thing. They gave them a ridiculous bid in the
5 beginning so it looks good on paper, and then it goes
6 through a lot of lawsuits, then it comes out with a lot
7 more money being spent.
8 And really, this project, the only
9 thing they want to do is make loft apartments on the
10 upper floors, and I forgot the government program with
11 the fronts, but somewhere along the way I believe they
12 even get tax abatements on these properties once it's
13 done.
14 So, hence, we're pouring millions of
15 dollars into a project that's going to bring the
16 taxpayers of Scranton very little, if anything.

17 I really believe that when they get
18 their credits written off on these fronts and so forth
19 and so on, that the tax base on these properties is
20 going to be negligible.

21 But the worse thing about it, I heard a
22 lot of the residents, the people that own the
23 buildings, don't want to sell and they're hiring their
24 own lawyers to fight this, and if they do, and why
25 should I pay for this developer to want to buy these

17

1 properties?

2 If the developer wants these
3 properties, he should buy them himself. We already
4 gave him how much? You gave him \$10 million, plus
5 another \$500,000. Now he wants another \$550,000 with
6 no loan. And, of course, he could meet this very
7 easily, because he got \$10 million in state funds to
8 use to make the \$2 million.

9 So, really this man is putting nothing
10 into this project, but his name, and I don't know where
11 he's getting all these benefits from, other than maybe
12 he's connected with the right people, but unless these
13 people can come up with something tangible, I think you

14 should ask the people, instead of suing, that maybe we
15 divide the money amongst these people who want to keep
16 these businesses and let them fix their own properties.
17 We can avoid lawyer fees, we can avoid
18 a lot of infighting, and in the end we would probably
19 get a better project, because the people that own their
20 buildings pay taxes on them all this time should in
21 turn be glad if somebody gave them a -- I would be,
22 anyway. If you gave me a million dollars to fix up my
23 house, I would be well pleased.

24 And you probably would come up in the
25 end with the same amount of probably more taxes in the
.

18

1 end, because it's true, developers in this city seem to
2 get a lot of tax breaks. And I guess the bigger
3 developer you are, the bigger your tax break.
4 The mall, I'll never live -- I'll die
5 before I can ever swallow that. The tax break they
6 gave the mall, which was enormous, considering they
7 took up, what, three and a half city blocks, four
8 blocks? And being on the tax rolls, we get \$24,000 a
9 year out of that mall on the land and the mall.
10 It's on the tax rolls for under

11 \$400,000, but it's foolish for me to keep repeating
12 myself on that. But this is only the tip of the
13 iceberg in the city.
14 I mean, God knows how many of the
15 properties have been revaluated downward, and the
16 burden you place upon us grows greater and greater.
17 The \$52 that you're placing on the
18 burden on some of these people is pretty hard, but
19 that's only the tip of what's coming.
20 I mean, we can cry all we want to the
21 non-profits, they don't have to spend a penny, and they
22 probably won't. They won't do anything voluntary.
23 So, hence, the city's in financial bad
24 shape, we all know that, but we knew this four years
25 ago. We've been saying this for the last four years.
.

19

1 Nobody listened then. I just hope you had enough and
2 you listen now.
3 When somebody comes up with a project
4 like this, you get somebody in here, the developer, and
5 let them explain the whole project and get people that
6 are also involved in it, bring them into the buildings
7 that you do not own and sit down, and maybe you can

8 come up with a better concession to what's being done

9 here. Thank you.

10 MS. EVANS: Just to pursue what you

11 were saying, Mr. Sbaraglia, I notice tonight under 7-B,

12 we're casting a final vote on a UDAG allocation of

13 \$577,000 out of account number 91-400, and my question

14 is, Is \$500,000 of that amount going to the Lackawanna

15 Avenue project, and, if so, that leaves \$77,000 for

16 other projects and purposes.

17 And I know that since last we met, I

18 was flooded with phone calls from city residents who

19 were very concerned with the fact that, you know, it

20 was last discussed at the meeting of maybe February 28,

21 that, or whenever it was, February 24, that \$150,000 of

22 that \$577 was supposed to go toward the tree house, and

23 they were very, very concerned about street paving and

24 police and home repairs and blight.

25 And it just seems to me that, you know,

.

20

1 it's not that I'm opposed to this project on Lackawanna

2 Avenue by any means, but we're continuing to pump

3 significant amounts of our revenue into the downtown

4 area, once again, neglecting the neighbors and the

5 streets at the same time.

6 So, I need to know I think before I can

7 cast a final vote tonight, I want to know where the

8 \$577,000 is really going.

9 MS. GATELLI: Well, I know, \$150 was

10 allocated for the tree house, and I don't think that

11 they're going to use it all. And, you know --

12 MS. EVANS: Did we ever get any

13 figures, though, on what the total --

14 MS. GATELLI: Collection?

15 MS. EVANS: Yeah, the donation total is

16 at this point?

17 MS. GATELLI: No, but I will ask that

18 question. However, it's very, I forget who I talked to

19 this week, I think it was -- it might have been Mr.

20 Narsavage, and we were discussing the same thing.

21 When you work in OECD and you have a

22 pool of money, you don't know what the projects are

23 until the people come and ask you for the money.

24 It's not like you have the money and

25 you say, Oh, I got this money, now I'm going to give it

.

21

1 to Janet Evans and Sherry Fanucci and Judy and Bill and

2 Bob, because they're my friends and they're going to do
3 a project.

4 It doesn't work that way. You have the
5 money, and until you have the money, like the CRF, you
6 don't know who's going to apply for that money until
7 you have the money.

8 So, when everybody says what is this
9 money for, you don't know what it's for until you
10 receive the applications to see who was interested in
11 this type of money.

12 MS. EVANS: Well, we do have a lot of
13 applicants, it appears. We have the 500 block of
14 Lackawanna Avenue. I don't know if there is any type
15 of funding transpiring with these two new small
16 businesses on Spruce Street. Purportedly we were
17 providing a loan to a bar restaurant in the Casey
18 Parkway.

19 I mean, there are a lot of projects on
20 the table. And just like the incident we discussed
21 during the public hearing, I think we need to know now
22 where's the money going, because there are a lot of
23 people asking for that money.

24 I among them asking for sidewalks in
25 North Scranton on, you know, and I'll add to it

1 tonight, Main Avenue, Charles Street, Wilber Street and
2 the streets that are listed here, places that have been
3 without sidewalks since homes were built.

4 So, we all have -- I'm sure if we went
5 down this desk, we could each come up with viable
6 projects. And I think OECD -- I want an answer. I
7 want to know what the project -- who's the winning
8 project, in other words, who's getting what out of that
9 \$577, because I really think somebody is getting
10 something, or it wouldn't be transferred.

11 MS. GATELLI: All right. I'll ask.

12 I'll certainly ask that question. My other question
13 is, I really don't know what the Lackawanna Avenue
14 project is, because I wasn't here. I know Sherry won't
15 know either.

16 MR. COURTRIGHT: We had a presentation
17 given to us by the Rinaldis. I would assume they would
18 come back in if you would ask.

19 MS. GATELLI: I think we should do
20 that.

21 MS. EVANS: They wanted to restore the
22 500 block across the street from the new parking

23 garage, and they also intended, I believe, to create a

24 courtyard of sorts in the back with benches and a

25 fountain, and they envisioned, I think, specialty

.

23

1 stores, as well as loft apartments and such, and it

2 would be designed such that it would fit in with the

3 historical environment of the area.

4 And I do recall, in fact, Councilman

5 Courtright and Councilman McTiernan were present the

6 day that the governor came to Scranton and made that

7 multi-million dollar award to the Rinaldi family for

8 the renovation of that block.

9 MS. GATELLI: All right. Well, Kay, if

10 you can schedule them to come at a future caucus to

11 tell us exactly what they have in mind, and I will ask

12 about the \$577,000, and I'm also going to ask, because

13 the Mayor did say that we would be able to do some

14 projects, and I'm going to ask him about how much would

15 be left so that, you know, if you want to do your

16 little thing or anybody else up here has a pet project

17 that they're interested in, we can go from there, okay?

18 Okay. The next speaker is Les Spindler with is

19 Syracuse shirt on.

20 MR. SPINDLER: Good evening, Council.

21 Finally. I have some good news to report. Two weeks

22 ago I bumped into Mark Walsh, the day after the last

23 meeting, and he looks terrific, he said he feels great,

24 and I think he's well on the mend, so I wanted to

25 report that to everybody. I know Mark for a long, long

24

1 time, and he looks very well.

2 Next thing, Mrs. Gatelli, I wouldn't

3 get too excited about that fence staying down, because

4 last year it came down for the parade, and after the

5 parade it went right back up, so I wouldn't be

6 surprised if that happens again. Okay. Next thing.

7 MS. GATELLI: I didn't think about

8 that, Les.

9 MR. SPINDLER: Yep.

10 MS. GATELLI: You might have a point

11 there, because I see the green paint was out.

12 MR. SPINDLER: Yeah. Another thing

13 about Southern Union, I know for a fact, I was talking

14 to an overnight delivery person who delivers in that

15 building, he said they have three employees in that

16 building. When he goes in there to deliver, he said he

17 has to walk all over to try and find somebody to sign
18 for the deliveries.

19 And he swears to me, he's in there
20 every day, there's three employees. So, I don't know
21 how they're meeting their KOZ criteria with three
22 employees in there.

23 MS. GATELLI: Well, they told us that
24 -- Mr. Namey told us that they only have to meet it the
25 time first year, which, you know, makes no sense to me,
.
25

1 but we're going to pursue that, Les.

2 MR. SPINDLER: I think it should be
3 pursued. Okay. Moving on. An acquaintance of mine
4 called me this week and asked if I could say something
5 for him. He lives near the Lackawanna Little League.
6 He said the corner of North Merrifield and Price
7 Street, going up Price Street, he said in the
8 summertime when the little league games are taking
9 places, cars fly up there to Keyser Avenue, and the
10 kids are riding their bikes to the little league games.
11 He said somebody is going to get killed thee someday.
12 Could Council look into maybe getting a four-way stop
13 sign there?

14 Okay. Since you mentioned it already,
15 Mrs. Gatelli, about Jerry McNamara, unless you've lived
16 under a rock, for the last four years Jerry has
17 represented our city very admirably. We've gotten lots
18 of publicity from him playing up there.
19 So, I was at his last home game on
20 Sunday, and it was a great experience. I'm asking
21 Council when Jerry comes home, I think he very
22 deservedly should be presented with a proclamation.
23 And I speak to Jerry's uncle fairly
24 often, so if you want me to work with you and see when
25 he's going to be home.

26

1 MS. GATELLI: Okay. That will be
2 great.

3 MR. SPINDLER: When he won the
4 championship in his freshman year, and Council with
5 President Murphy in charge was supposed to do it, but
6 they never brought him in.

7 MS. GATELLI: Make the arrangements and
8 let us know.

9 MR. SPINDLER: I think it would be a
10 crime if he wasn't presented with nothing. Scranton

11 has been represented tremendously by him.
12 Next thing, last week in the paper, and
13 Mrs. Evans mentioned, two new businesses on
14 Spruce Street, New Laundry and Poochie, a pet boutique.
15 The Mayor was so excited about that. I think he should
16 look into keeping 30 stores in Steamtown Mall, because
17 if we lose 30 stores from the mall, you might as well
18 put a padlock on the mall. Who's going to come
19 downtown shopping at Poochie if the mall is closed up?
20 Next thing, the Mayor wants to merge
21 our fire department and police department with Dunmore.
22 Dunmore has many problems. I don't think we need their
23 problems.
24 Our fire department and police
25 department are just fine. If he would sit down and
27

1 give them each a contract, I think we would be in
2 better shape.
3 If he would have done that months and
4 months ago, we wouldn't have a problem, and I think
5 that's what he's trying to avoid by having this merger.
6 Lastly, I mentioned a few weeks ago
7 about the truck parked on Mulberry Street,

8 1-800-GOT-JUNK, did anyone look into that?

9 MR. COURTRIGHT: Yeah, Les, I did.

10 They had checked on that before, and where it was
11 parked wasn't illegal, and I asked them if they would
12 check on it again, and they did go out and check on it
13 again, but they haven't gotten back to me. They were
14 going out the day I called them. But they did check on
15 it before, and I don't know if it was in the same spot.

16 MR. SPINDLER: It wasn't there today,
17 but last week it was there for, like, five straight
18 days.

19 MR. COURTRIGHT: Right. Where it was
20 previous was illegal. I told them I didn't know if it
21 was the exact same location, so they said they would go
22 back out. I'll let you know for sure.

23 MR. SPINDLER: It's there every week,
24 not maybe every day, but it's there a couple days a
25 week.

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1 MR. COURTRIGHT: I drove by after the
2 last meeting, and, yeah, absolutely.

3 MR. SPINDLER: It was there after the
4 last meeting, but it was there for four days after that

5 meeting. It's a turning lane.

6 MR. COURTRIGHT: I called them the next

7 morning, and they said at one time they did check.

8 Where it was at that time was legal. They're going to

9 go back out and make sure if it was the same location.

10 MR. SPINDLER: They said it was legal?

11 MR. COURTRIGHT: They had checked o it

12 once before, and it was parked on that street. They

13 did not know if it was the exact location. So, where

14 it was parked before was legal, so I asked them if they

15 could go back and out and check it and see where it's

16 parked now, if it was the same location or not.

17 MR. SPINDLER: There is a sign, no

18 parking sign on that block. And there's an arrow

19 pointing in both directions, but the arrows are bent,

20 so you can't see the arrows.

21 MR. COURTRIGHT: I talked to the

22 traffic division, they're going to get back to me.

23 MR. SPINDLER: Okay. Thank you.

24 MR. COURTRIGHT: You're welcome.

25 MS. GATELLI: Thank you. Bill

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1 Jackowitz.

2 MR. JACKOWITZ: Good evening, City

3 Council. Bill Jackowitz, city resident and taxpayer,

4 registered independent voter, retired United States Air

5 Force.

6 Maybe I can end some speculation. The

7 last couple meetings people have been wondering if

8 Mayor Doherty watches the City Council meetings, well,

9 when I had my meeting with him in November of '05, I

10 asked him if he watches City Council meetings, and he

11 said no. He said he doesn't even have cable

12 television, so he says he never watches the cable.

13 So, unless things have changed since

14 November, no, he does not watch City Council meetings,

15 at least that's what he told me anyway.

16 Okay. The state of the city address.

17 Okay, we're getting coffee shops. I'm in favor of

18 coffee shops, I think they're not nice, but what is the

19 salary range of the people that work in the coffee

20 shops?

21 We're also getting -- he talked about

22 the movie theaters, movie theaters are losing

23 popularity nationwide because people just don't go to

24 the movies anymore, because they just rent the DVDs at

25 home and stay at home and watch them at home.

1 High-dollar apartments, who's going to
2 be able to afford the high-dollar apartments? One
3 hundred forty manufacturing jobs, again, I'd like to
4 find out what the salary range is.
5 I'm not saying anything bad about the
6 jobs, I'd just like to know what the salary ranges are
7 for those jobs, because \$20,000, \$25,000 a year ain't
8 going to make it anymore.
9 Okay. Some of the questions I was
10 going to ask already been answered. I was going to
11 bring up about Southern Union being cleaned up and also
12 I'm wondering if it's going to -- if the crane's going
13 to reappear after the St. Patrick's Day parade or not.
14 The Mulberry Street corridor, I was
15 going to ask about that, but Mrs. Evans already talked
16 about that.
17 The 16th of March next week, we're
18 supposed to be getting a report on the Casey Garage
19 that Mr. Courtright has been waiting for, so we will
20 see if that comes in tomorrow.
21 And the big one is the Hollow Avenue
22 that's supposed to be resolved by the end of the month

23 with Mr. Parker, so I'm looking forward to that,
24 because I really would like to find out whether
25 anything happened or it didn't happen.

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1 Okay. I guess something for the
2 Junior City Council, I would like to make a suggestion
3 that the Junior City Council conduct a survey to see
4 where they would like the skateboard park to be located
5 at.

6 I don't think Connell's Park is a good
7 idea, me and Mrs. Gatelli already discussed that at the
8 South Side meeting, because of its location, not only
9 because of its location, the hills. You're going have
10 kids skateboarding down those hills at 100 miles an
11 hour, because Connell's Park is surrounded by nothing
12 but hills. So, for safety reason, I don't think
13 Connell's Park is a good idea.

14 Also I would like to suggest that the
15 Junior City Council also talk with the principals of
16 the school and maybe get together with the, what's that
17 school where they -- the vocational school.

18 And I understand that the skateboard
19 park is in dire need of repair, so maybe we can get the

20 shops at Scranton High School and the vocational school
21 to do that as a project and repair the skateboard park
22 for us at no cost, and then we can find out where the
23 kids would like to have it moved to, and that will save
24 the city some money, also, plus the park will be
25 somewhere where the kids that are going to be using it
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32

1 want it to be, instead of us adults making the decision
2 for them. Just a suggestion, and I hope somebody looks
3 into that.

4 I was going bring up about the 5-C and
5 5-D -- or 5-D and 5-B, also, or 7-B, about this
6 \$577,000. If the tree house is built by donations for
7 \$300,000, well, then we are going to save \$150,000.

8 But as far as this Rinaldi project, I
9 was also going to suggest that we have Mr. Rinaldi come
10 in, but I got beat to the punch on everything today.

11 Bad day.

12 But from what I understand about the
13 Rinaldi project is it was going to be loft apartments
14 for \$1,500 a month, loft apartments, and the reason I
15 know this is because one of my friends sold right at
16 the beginning, and \$1500, basement boutiques and gift

17 shops in the basement, a coffee shop across the street.

18 Rinaldi was going to pay for the

19 restructuring of the outside of the building, but it

20 was up to the individual owners to repair the insides

21 of their buildings, so I don't know, Mrs. Gatelli, if

22 you need any more information, I will be glad to give

23 it to you.

24 And one other thing, and I normally

25 don't bring this up, but a friend of mine asked me to

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1 bring it up, during the snowstorm on the Mulberry

2 Street side of City Hall, the sidewalks weren't

3 shoveled. Is that in violation of the city ordinance?

4 MS. EVANS: Yes.

5 MR. JACKOWITZ: And, again, I'm only

6 saying that because a friend asked me to bring it up,

7 but --

8 MS. EVANS: If I might comment on two

9 issues that you brought up this evening, I had asked,

10 this is related to the new parking garage, I had asked

11 for a financial report on the parking garage from

12 Mr. Wintermantle, and I requested a response by

13 March 16. I wanted to know the numbers on usage for

14 January and February of 2006, as well as the revenue
15 realized for those two months, and should we not hear
16 from Mr. Wintermantle by the 16th, I am going to
17 request that he come into Council to discuss the issue
18 with us in caucus.

19 Now, with regard to Hollow Avenue, I
20 did speak with Mr. Parker, and he was willing to meet
21 with one representative of Hollow Avenue and myself,
22 and I relayed that information to one of the residents
23 involved in this issue, and the response I received
24 from him was that, you know, they were not satisfied to
25 have just one neighborhood representative attend that

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1 meeting, that they felt all of the residents were
2 entitled to be present, and I don't disagree with that,
3 so I'm in the process -- I'm going to be contacting
4 Mr. Parker again, I guess you would call me the
5 mediator here of sorts, and let him know what that
6 response was, and I'm hoping very much that he would
7 agree to meet with all of them and myself so that we
8 can find the answers and finally put this to bed.

9 MR. JACKOWITZ: I agree. It has been
10 going on a long time.

11 MS. EVANS: Too long.

12 MS. GATELLI: Thank you. Mike Dudek.

13 MR. DUDEK: Mike Dudek, 608 Depot

14 Street, Scranton, PA. And I think what I'm going to be

15 talking about will probably be -- maybe a little more

16 appropriate for the Junior Council to do some digging

17 in. It will save the City Council time.

18 What I have to offer is rather on the

19 unusual side. First of all, most major cities in the

20 United States exist where they are for some economic

21 reason. New York, Philadelphia, they're port cities,

22 Miami is a port, Minneapolis is a big grainery city for

23 the farms, St. Louis is a port city, Pittsburgh is

24 mining and so forth.

25 Our heritage here is mining.

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1 Pennsylvania's major cities, Pittsburgh and Scranton

2 exist because of either coal, steel mining or both,

3 okay?

4 Our coal mining industry has declined,

5 as we all know. But with the current and rising price

6 of oil and the fact that it's never going to go down

7 again, we may be coming into a situation where we

8 should reinvestigate the use of those -- of the most
9 modern methods of coal mining possible and to reopen
10 some of our mining industry here.
11 Now, I'm not talking about West
12 Virginia coal mine like we saw, that's mom and pop coal
13 mining, like what used to be done here. I'm talking
14 about the kind of coal mining done in Europe that
15 developed a tunnel that went between England and
16 France.
17 When you have that tunnel underneath
18 the English Channel, that tunnel isn't even reenforced,
19 because the methods to drill it out were so new and so
20 up do date that they don't have to be reinforced.
21 Governor Casey realized that when we
22 drilled the other tunnel next to the Lehigh Tunnel,
23 that arched tunnel, there is no reinforcement there.
24 It's not necessary.
25 With that thought in mind, there are
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1 modern coal companies in Illinois, in Kentucky that use
2 ultra new ideas, new ways of mining coal.
3 In Illinois, 40 percent of the coal
4 miners are women. These are operations run by

5 professional companies. They work hand and hand with
6 the United Mine Workers of America for mine safety.
7 For instance, every day when they check
8 a mine, there are probably no violations, or the most
9 one or two violations. Nothing like what we were
10 hearing coming out of West Virginia.
11 We're talking about operations in which
12 the union, the coal companies and the federal
13 government working hand and hand conduct mining.
14 I think what we should do is have Penn
15 State University reanalyze the entire area from
16 Hazleton all the way up to Carbondale to see how much
17 coal is left. I would estimate there's probably about
18 200 years worth of coal. Get that coal, gasify it and
19 say good-bye to Saudi Arabia.
20 We only get 15 percent of our coal or
21 our oil from Saudi Arabia. I think we could replace
22 that ourselves right here in Northeastern Pennsylvania.
23 Thank you.

24 MS. GATELLI: Thank you. Erik Johnson.

25 MR. JOHNSON: Good evening, City

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1 Council and staff. Erik Johnson, resident of North

2 Scranton and taxpayer.
3 Six Democrats and two Republicans are
4 lining up for one of Scranton's State Representative
5 seats will highlight the May 16 Primary Elections i n
6 Lackawanna County. May the best candidate win after
7 all the debates are over and the voters make their own
8 decision on the Election Day. Good debate, smart
9 decisions and a non-nasty attitude with an honest
10 opinion what you plan to do to Scranton and its voters.
11 Since The Times Tribune has a low
12 profile on City Council affairs and businesses, one
13 agenda could not be overlooked, City Council President
14 Judy Gatelli has advocated a payment in placement of
15 taxes or a pilot program, because we all know the city
16 needs the revenue.
17 The program is Judy has vowed to knock
18 on doors of the area's non-profits, KOZs and
19 organizations to persuade them to pay.
20 Another great expression of an idea has
21 been the work of North Scranton Neighborhood
22 Association and restoring Weston Park, which had been a
23 particular victim of neglect and willful and malicious
24 destruction.
25 Assistance from Ms. Marichak and her

1 West Scranton school students, as West Scranton's
2 Sophomore Katherine Told The Times Tribune, No one else
3 would do this if we didn't.
4 Another good event, the Downtown
5 Scranton Merchants Group hopes to continue to increase
6 commercial activity in the downtown community through a
7 new study.
8 This past Tuesday morning, three dozen
9 members of the group met at the Scranton Hilton.
10 Scranton seems to be heading in that particular good
11 direction.
12 Families of soldiers fear they are
13 being forgotten. Several hundred people came to the
14 event. The family Readiness Group raised \$1,500 for
15 those left behind, family members of the 109th
16 Pennsylvania Army National Guard.
17 In addition to offering the families
18 counseling and advice, the group also helps those who
19 face a financial crisis.
20 It's true. A year or two ago everybody
21 was doing something for our troops. Today, you hardly
22 hear anything going on for our troops. Yes, we need

23 more stuff going on for our troops and their families.

24 Get on the board, everybody.

25 The City of Scranton and Dunmore are on

.

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1 the right tract. Terrific idea of consolidating the

2 Scranton and Dunmore police and fire departments.

3 Financially it will profit both

4 Scranton and Dunmore and improve public safety

5 activities for both.

6 Mr. Doherty and members of the Dunmore

7 Borough Council deserve credit for recognizing the

8 reality of the situation and moving towards greater

9 efficiency and public safety.

10 And Pennsylvania, wrongful convictions

11 are being scrutinized. Lawmakers and citizens are

12 saying that many innocent people are being jailed.

13 Since PA adopted DNA testing rules in 2002, at least

14 eight supposed guilty people have been cleared with the

15 help of DNA testing.

16 If you're going to adopt very tough

17 criminal laws in PA, for violent offenders and sexual

18 offenders, they must impose that everybody in that

19 nature take a DNA test for the innocent and also for --

20 and also to incarcerate the guilty subjects.

21 It also costs the system a lot of

22 expense to jail innocent people or even execute the

23 innocent, along with the guilty. Thank you for letting

24 me speak.

25 MS. GATELLI: Thank you. Mr. Davis.

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1 MR. DAVIS: We had a conversation

2 before you guys came in and he was telling me about the

3 possibility of having a Spanish interpreter for what

4 you're doing here, so I'm giving you a card from

5 Mr. Pedro Gonzales, and this is my card.

6 MS. GATELLI: Mr. Davis.

7 MR. DAVIS: What?

8 MS. GATELLI: Would you like to speak,

9 please?

10 MR. DAVIS: Yes, I am. Excuse me.

11 Number one, I would like to speak about the election

12 that we had. I didn't know that if we -- if we voted

13 for someone and we voted the most votes for the person,

14 they automatically became the President of the City

15 Council. I was --

16 MS. GATELLI: Mr. Davis. Mr. Davis,

17 we've been over this once before. Could you please

18 move onto some city business, please?

19 MR. DAVIS; that is city business.

20 MS. GATELLI: It's not. It's over.

21 MR. DAVIS: Okay.

22 MS. GATELLI: I'm the president for two

23 years. If you don't like it, I can't help that. Now,

24 please speak what you're going to talk about. I think

25 you just come here to harass me every week.

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1 MR. DAVIS: Oh, please.

2 MS. GATELLI: And you do a good job of

3 it, believe me.

4 MR. DAVIS: I think that we've won in

5 the election, this is what I was going to continue --

6 may I continue now?

7 MS. GATELLI: Yes, you may continue.

8 MR. DAVIS: Thank you very much.

9 Because we've got these young people interested in city

10 government, I think we won. I think we're going to

11 change, and I think we got leaders in progress. We

12 have leaders for the future, coming forth, stepping

13 forth and doing what they can do best, which is

14 observing at this point in time in your life.
15 And this is what we want for all of our
16 kids, not just for these kids, but these are the kids
17 that are leading the way, and I compliment them for it.
18 And I think this only happened because
19 of the election, because change came about whether you
20 like it or not, and it was a beautiful change. You
21 never know what's going to happen when you do
22 something. You never know what the results -- the
23 total results that God allows to happen to you, and
24 this is a beautiful thing that happened to me.
25 Now, I had something else that happened

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1 to me after that point. I saw Scranton High School,
2 the girls, win. I know I'm bringing up what he's
3 already said.
4 These kids, when they started the year,
5 they had no chance in who to win, but they stayed
6 together, they fought together, they played together,
7 they cried together, until they finally got their act
8 together, and they played beautiful, they really did.
9 I'm very, very proud of them. As a team, I'm proud of
10 them, because the school stood behind them and the

11 school was there. That was nice to see, because they
12 haven't always had good crowds. The guys get great
13 crowds, but the girls don't usually get good crowds.
14 But this time the stands were packed
15 and everyone was on their side, and I loved it. I just
16 loved the whole game. Whether they won or lost, it
17 didn't matter, because we had accomplished something.
18 We accomplished something greater than what we thought
19 we'd accomplish when we put the girls on the basketball
20 floor.

21 I'm telling you, I think this whole
22 school is going to unify just because of those girls
23 winning, believe me. And the guys had a great team,
24 too. I watched them every time they played and I
25 congratulated them, but not this year. The girls came

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1 first.

2 Okay. The third point. There was a
3 man that lived in Scranton by the name of Ernie
4 Williams, he was the big brother of Chimsey Williams or
5 James Williams.

6 He died two weeks ago, and he was my
7 big brother at the Boys Club when it was down on the

8 corner of Mulberry and Adams Avenue. And I want to
9 give tribute to him now, because I've let it go too
10 far, I've let it go too long.
11 I've asked to have the crossing guard,
12 you know, commemoration and things like that, it
13 doesn't -- they gave him one. He has been given
14 commemoration since we've talked about it here several
15 times.
16 So, I'm not going to ask you to
17 represent those from Central City, because I don't
18 think anybody here is from Central City, and it's very
19 difficult for me to come -- it's very difficult for me
20 to come here and talk to you about Central City and the
21 problems we have in Central City, knowing nobody really
22 represents us.
23 We've got to have committee meetings in
24 Central City, so we have no way of getting knowledge of
25 Central City and what happens and what is needed in
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44

1 Central City.
2 We were promised to have a skating
3 park, a skate thing, they were going to put it in the
4 parking lot at Northeastern for the kids after they

5 move it from Weston Field. Never heard about it again.

6 I've got kids out on the tennis court out there

7 skateboarding tearing down the nets.

8 I mean, these are things that we don't

9 have any say so over. Who do we complain to? Nobody

10 here that we know. Nobody knows us, and that's the

11 worst part about it.

12 And we don't know how to find out to

13 know, unless you come to our area and find out, not

14 just when there's a funeral of a famous person, not

15 just when there's a nice thing, Martin Luther King

16 celebration, but actually come and talk to the

17 residents, find out what they're thinking. It would be

18 nice.

19 If not, you guys do it and start

20 bringing back reports to them, because they might be

21 too busy. You're right.

22 MS. GATELLI: Okay. Thank you, Mr.

23 Davis. Mr. Davis.

24 MR. DAVIS: Thank you very much.

25 MS. GATELLI: Thank you.

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1 MR. DAVIS: I'm so happy to be

2 thankful. I'm just so happy to be thankful that I'm
3 able to sit here and look at you and talk to you.

4 MS. GATELLI: Thank you, Mr. Davis.

5 MS. GARVEY: Mrs. Gatelli, can I just
6 respond to something that Mr. Davis touched on?

7 MS. GATELLI: Yes, you may.

8 MS. GARVEY: He was talking about a
9 proclamation that he asked for quite some time ago,
10 which we were not able to get a lot of information
11 because the last city clerk had left at that time. I
12 have been working on that. He was supposed to be here
13 tonight for his proclamation, it is ready for him,
14 unfortunately he is in the hospital and that was unable
15 to happen. It will take place as soon as he's ready.

16 MR. DAVIS: I have tears in my eyes.

17 MS. GATELLI: Jean Sueta.

18 MR. DAVIS: I have tears in my eyes,
19 because I've been asking for this for a long time.

20 MS. SUETA: How you doing? Jean Sueta.

21 I had a couple situations this week. On the corner of
22 Green Ridge and Sanderson Avenue where the townhouses
23 are being built, they had the sidewalks blocked for six
24 days, so I called the Scranton Police Department,
25 wanted to know why I had to go on a main highway

1 instead of them opening up the sidewalks. They told me
2 it was a city program.
3 I don't know what kind of city program
4 it is, so I got a little pissed off, oh, sorry. I
5 called the State Troopers. They told me they couldn't
6 do nothing, to got a hold of the supervisor on the
7 shift.
8 I called the desk again. He gave me a
9 phone number for the supervisor. It was a nursing
10 home. So, I gave him the benefit of the doubt and I
11 called the second time. I called the desk back and I
12 asked him why he was choking my chain and giving me a
13 runaround.
14 I even called Chief Elliott, got a
15 runaround there. They told me that that man has all
16 the authority to block them sidewalks, and I want to
17 know why.
18 Today you go up there, there's a sign,
19 Do Not Park on This Side. On Sanderson Avenue, there
20 are two white vans parked there every day up on the
21 curb. And I know the Scranton Police go by there.
22 Finally I got something done from

23 dispatcher 57, he sent a car up. If it wasn't for him,

24 I would have gotten nowhere.

25 And, Judy, about your snow removal

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1 getting fined, it don't happen. I live next door to

2 Hollywood Tans, their snow wasn't removed. By Saturday

3 afternoon, I went over and I told the man, How come

4 your sidewalks aren't cleaned? He laughed in my face,

5 which off again, right, so I called the Scranton cops.

6 They come over, I said this man didn't

7 remove the snow. That ain't my fault. They were there

8 for 36 hours. He's an able-bodied man. I cleaned my

9 walks, why couldn't he clean his? He didn't get cited.

10 Why?

11 MS. GATELLI: I don't know, but if it

12 happens again, call Mr. Fiorini, because it is under

13 the BOCA Code. He could send an inspector out.

14 MS. SUETA: That was on a Saturday

15 morning. And now potholes, you know, people still use

16 coal. They throw these ashes in the garbage truck, why

17 can't the city send a section truck to pick up the

18 ashes, throw them in an open truck, which they used to

19 do, I did, take the ashes and fill the potholes?

20 Anything is better than nothing.
21 It saves the city money, there won't be
22 no tonnage. I'll probably get tarred and feathered
23 tomorrow by the guys, because I used to work there, but
24 it's a good solution. Nobody's answering me.
25 And school busses, Hollywood Tans
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48

1 again, I got school bus No. 40 parks her bus on Gardner
2 Avenue and goes in for a tan in the middle of the day.
3 Don't tell me to call the school
4 people. I called, they do nothing about it. And it's
5 school bus No. 40.
6 MS. GATELLI: Is that every day, Jean?
7 MS. SUETA: It has been until I jumped
8 down her throat. You know, I got a little vocal with
9 her, which I have a tendency to do.
10 MS. GATELLI: Come on, Jean. I don't
11 believe that for a minute.
12 MS. SUETA: But that's why the guy over
13 at tanning, when he got the guy to come do his
14 sidewalks, he threatened me, and I was talking to the
15 police officer -- two seconds -- and he says, you know,
16 he was threatening me. I said, Are you threatening me?

17 And the police officer told him, You better go, buddy,
18 you know, because he was threatening me. He's a -- I
19 got to be nice, Judy will hit the gavel.

20 MS. GATELLI: They thought they'd have
21 to hit the gavel for me, too, Jeanie.

22 MS. SUETA: I know.

23 MS. GATELLI: And it's coming close.

24 MS. SUETA: I mean, what's going on
25 with that thing up on Green Ridge?

49

1 MS. EVANS: That's not -- you mean the
2 development. That is not a city project, that's a
3 private developer who is building --

4 MS. SUETA: You know, it's bad enough
5 we ripped the building down for them, now they're
6 taking the sidewalks off us and they're parking illegal
7 every day.

8 MS. EVANS: Well, I think the police
9 can do something about the illegal parking up over the
10 curb, but I know with regard to --

11 MS. SUETA: I called three times and
12 every day.

13 MS. EVANS: As some of the other

14 Councilpeople have said, the snow removal is really the
15 job of an inspector who is supposed to go out and look
16 for such violations and cite the violators.

17 MS. SUETA: Who do you get on a
18 Saturday?

19 MR. COURTRIGHT: Mr. Fiorini. Oh,
20 yeah, it's a Saturday, it's tough.

21 MS. SUETA: It was a Saturday.

22 MS. EVANS: Yes. You're not going to
23 get anyone on the weekend obviously, but I really don't
24 know --

25 MS. SUETA: If an officer came, he

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1 should have cited him.

2 MS. GATELLI: If I were you, I would
3 take pictures on a Saturday.

4 MS. SUETA: Where?

5 MS. GATELLI: Of the snow.

6 MS. SUETA: I should take pictures?

7 MS. GATELLI: You know, if you can, if
8 you have a camera, I would take a picture of it.

9 MS. SUETA: I do.

10 MS. GATELLI: And Then the inspector

11 can go on Monday and say, Look, you know, here's your

12 sidewalks from Saturday and --

13 MS. SUETA: What about Green Ridge

14 Street?

15 MS. GATELLI: Green Ridge Street, I'll

16 call somebody about that. They shouldn't be blocking

17 the sidewalks.

18 MS. SUETA: Well, they told me it was

19 all right for them to do it.

20 MS. GATELLI: No, I don't think so.

21 MS. SUETA: I give you the officer's

22 number. Bill, I'll give you that.

23 MR. COURTRIGHT: Give it to Neil and

24 then I'll talk to him.

25 MS. EVANS: Now, the dispatcher did,

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1 though, you said take care of that?

2 MS. SUETA: Two officers.

3 MS. GATELLI: Yeah, but I really don't

4 think it's the officer we should call. We should just

5 tell the Mayor about that.

6 MS. SUETA: It would do no good. I

7 called him, too. I called everybody.

8 MS. GATELLI: We'll call for you and

9 we'll see.

10 MS. EVANS: But you have access now?

11 MS. SUETA: Yes.

12 MS. GATELLI: It's open now?

13 MS. SUETA: What?

14 MS. GATELLI: The sidewalk is open now?

15 MS. SUETA: Yeah, but they're still

16 parking up on the curb.

17 MS. GATELLI: All right. Well, we'll

18 report that for you.

19 MS. NEALON FANUCCI: I'll take care of

20 the tanning bus driver, too, tomorrow morning.

21 MS. SUETA: I had three cops. Which

22 one?

23 MR. COURTRIGHT: Whoever the officers

24 were that came. Do you have their badge number?

25 MS. SUETA: No, but I have their name.

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1 MR. COURTRIGHT: Okay. Give it to

2 Neil.

3 MS. GATELLI: The next speaker, I can't

4 read the first name, the last name is Hubbard. Liz.

5 MS. HUBBARD: My name is Elizabeth
6 Hubbard, Scranton resident. I have a couple of
7 questions.
8 I see some things I pulled off the
9 University of Scranton website that they list as their
10 softball field our Tripp Park field and their baseball
11 field they list as Connell Park Scranton. Do they pay
12 rent for using these city-owned fields?

13 MS. GATELLI: You know, I'm not sure if
14 they do. I think they do pay a fee to the league, and
15 that might be part of the lease agreement with the
16 little league, but I'll find out for you.

17 MS. HUBBARD: What do you mean with the
18 little league? I don't understand.

19 MS. GATELLI: The city has a lease with
20 the little leagues. They have to sign every year a
21 lease, and I'm pretty sure it allows --

22 MS. HUBBARD: Who owns the Tripp Park
23 field, is that a city --

24 MS. GATELLI: The city owns most of the
25 fields where the little leagues are.

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1 MS. HUBBARD: Okay. Why would the

2 University of Scranton be able to use that field

3 without paying rent?

4 MS. GATELLI: They do pay, I believe,

5 but they pay it to the little league.

6 MS. HUBBARD: Oh, okay. All right.

7 MS. GATELLI: Because the little league

8 maintains the field, takes care of the grass, cuts the

9 grass. You know, the city really doesn't take care of

10 little leagues, so the University would pay the money

11 or Lackawanna.

12 I know Lackawanna Junior College used

13 to play up at Connell Park, and I'm 99 percent sure

14 they do pay the little league, but I will clarify for

15 you.

16 MR. MCTIERNAN: Sometimes there's an

17 agreement made where, for example, I don't know if it's

18 still done, but there was a time when West Scranton

19 High School utilized Battaglia Field, and there's an

20 agreement regarding maintenance or purchasing certain

21 items for the maintenance of the field as a trade for

22 the use of the field, so that may very well vary from

23 field to field and lessee to lessee.

24 MS. HUBBARD: Okay. I just wondered.

25 Another thing, does the University pay taxes on any of

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1 its properties?

2 MS. GATELLI: I don't think so.

3 MS. HUBBARD: The parking lots?

4 MR. MCTIERNAN: They do. I was going

5 to go into this in motions, and I'll go over just that,

6 but to answer your question, of 12 properties listed,

7 and I'll go into it in motions a little bit later, but

8 a variety of addresses, there's a millage evaluation of

9 \$116,000.

10 It looks to me like most of them are

11 ancillary properties, and that was a question that we

12 asked --

13 MS. HUBBARD: Yeah, but how about their

14 parking lots? When my daughter was a student there --

15 MR. MCTIERNAN: I don't know.

16 MS. HUBBARD: -- she had to pay for a

17 parking permit. Now, they're charging her to park, in

18 addition to the huge tuition I was paying, I just

19 wondered if do they pay taxes on the parking lots.

20 MS. GATELLI: Well, there is an

21 ordinance that anyone that has a parking lot, a paid

22 parking lot where you pay to go there --

23 MS. HUBBARD: Right.

24 MS. GATELLI: -- you're supposed to pay

25 the city \$15 per parking space.

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1 MS. HUBBARD; do they pay it?

2 MS. GATELLI: I'm not sure. We're

3 checking that out under our non-profit meeting.

4 MS. HUBBARD: Okay. I wanted to come

5 to that meeting today, but I just couldn't make it.

6 MS. GATELLI: Yes. That's one of the

7 things we need to check out with all the non-profits,

8 are they paying the parking lot fee.

9 MS. HUBBARD: Because it just occurred

10 to me. And I called her and checked on it. It seemed

11 to me -- she graduated in '96, but I recall paying a

12 parking permit fee.

13 MS. GATELLI: Yes, they pay to park

14 there.

15 MS. HUBBARD: Okay. Another thing, on

16 the North Scranton side of the river at the East Market

17 Street Bridge, there are -- it was a junkyard, and

18 there's a whole lot of junk cars right on the river

19 bank. That cannot be good for the water quality.

20 Does the city have any jurisdiction or
21 should I call DEP? Those junk cars shouldn't be right

22 there --

23 MR. COURTRIGHT: The city should have

24 --

25 MS. HUBBARD: -- leaching their junk
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1 into the river.

2 MR. COURTRIGHT: Maybe we could ask Mr.

3 Fiorini to take a look at it, because they have health

4 inspectors and zoning inspectors. There's got to be

5 rules that they have to abide by.

6 MS. HUBBARD: So, should I call him or

7 will you take care of that?

8 MR. COURTRIGHT: We can ask him. Mr.

9 Fiorini, could you --

10 MS. HUBBARD: They've been there for a

11 long time, and --

12 MR. COURTRIGHT: I know exactly where

13 you mean.

14 MS. NEALON FANUCCI: What is it that's

15 there?

16 MR. COURTRIGHT: It was a former --

17 MS. HUBBARD: A junkyard.

18 MR. COURTRIGHT: I don't want to call

19 it a junkyard. There was a lot of junk cars there.

20 I'm not sure if it was --

21 MS. HUBBARD: I understand somebody

22 said that the person that owns it, they moved their

23 business out of there to Moscow or something, but

24 there's all these cars that are still there.

25 MR. COURTRIGHT: Remain there, yeah.

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1 I'm not sure the property, if it's --

2 MS. NEALON FANUCCI: Do you have an

3 address?

4 MS. HUBBARD: If you go -- go over the

5 Market Street bridge, it's right there on the left on

6 the North Scranton side of the river.

7 MR. COURTRIGHT: You'll see it. As

8 soon as you go over the bridge, it's --

9 MS. HUBBARD: Now, if somebody is

10 storing stuff that's kind of a junkyard, are you

11 supposed to have a solid fence around it?

12 MS. GATELLI: I don't know. That would

13 be zoning.

14 MS. HUBBARD: Is that Mr. Fiorini?

15 MS. GATELLI: No. That's Mr. Wallace.

16 MS. HUBBARD: Oh, okay. All right.

17 Another thing, on Olyphant Avenue before you get to the

18 Throop line where they cleared that dump out of there

19 where it used to be the burning dump, they seem to be

20 dumping a lot of construction garbage in there, and is

21 that legal for them to do that? Are they filling with

22 it?

23 I mean, blacktop, I don't think, is

24 legal fill, is it?

25 MR. COURTRIGHT: I don't know.

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1 MS. HUBBARD: But they didn't do it.

2 It seems to me they put sewer lines in or were going

3 to, and all of a sudden it's a dump and there's a big

4 pile of coal or something there.

5 MS. GATELLI: Okay. We'll check into

6 it.

7 MS. HUBBARD: I don't know what they're

8 going to do there.

9 MS. GATELLI: Okay. We'll check into

10 it for you. Thank you.

11 MS. HUBBARD: Okay. That was it.

12 MS. GATELLI: Thank you very much.

13 Mr. Elman.

14 MR. ELMAN: Hi, Ronnie Elman. You

15 know, you people are very fortunate the Mayor is not

16 aware of this program, because he would be getting your

17 \$77,000 for his tree house.

18 It's just so frustrating. Every week I

19 listen to you say we're writing letters and we're

20 phoning and we're doing this to the Mayor's office, I

21 never see any acknowledgements of results of your

22 meetings or conversations.

23 And I figured out, it just got to be

24 that nobody seems to care in this administration.

25 In essence, I had Mr. Wallace from the

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1 licensing bureau tell me a couple weeks ago, That's the

2 way it is and you can't do nothing about it.

3 Now, I'm complaining about blight.

4 That's the feeling that just undermines us, you know,

5 the people's attitude. I just don't understand why

6 nothing ever gets done around here.

7 My neighbor complained about me making

8 a carport, the very next day Ron Kitlas come out to the
9 house. I mean, the next morning after he got a
10 complaint, and he got it measured and so forth. I was
11 7 feet from the lot line, and I was right and my
12 neighbor was wrong.

13 But I'm saying, that's results. I've
14 been dealing with this for 14 months, and not one thing
15 has been done, except I've been told off by everybody
16 I've dealt with. It gets my blood pressure up. I
17 don't even want to talk about that.

18 MS. GATELLI: Well, you're in good
19 hands, because there's a nurse here.

20 MR. ELMAN: And about the snow, I want
21 to confess, last time it snowed, I didn't clean my
22 sidewalks. I got a \$1,000 snow blower, and I'm just
23 putting it away for good.

24 Every morning I walk and every night I
25 walk about a mile for exercise with my basset hound

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1 Lump, and Lump got these little short legs. He is not
2 built for speed or going through snow, and it's got to
3 be half the houses around me don't clean snow.

4 I mean, you know, nobody cleans their

5 sidewalks any more. And if they do clean it, there's a
6 car parked there where you can't use the sidewalk. But
7 there's the tent company down here, they don't clean
8 it, then the other way. I got a florist that doesn't
9 clean it. You know, people just quit cleaning
10 sidewalks for some reason, so I've joined them. You
11 know, just a confession.

12 But what I came for is unselfish
13 request. On the corner of Welles and North Main, it's
14 a bus stop for the school buses in the morning. All
15 the little kiddies, they're all little tiny ones, and I
16 don't have any kids or grand kids in school, but the
17 speeding cars and these kids, it's just a terrible
18 accident waiting to happen.

19 Monday a week ago, I was watching a
20 little boy up, I don't know, a couple hundred feet up
21 the street, and he opens up his coat like Batman and he
22 starts across the street, and he looked both ways and
23 everything like you're taught, and in seconds a
24 speeding car was right upon him. He run like hell to
25 get out of the way.

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1 And the car was going -- I've driven

2 long enough to know the car had to be going well over
3 three times the posted speed limit. Where I was
4 standing it went completely on the wrong side of the
5 street for a couple hundred feet. And the neighborhood
6 is absolutely full of kids waiting for school busses.
7 The only way to stop these cars is some
8 stop signs on North Main Avenue, but then you have to
9 deal with the traffic bureau, I guess, with the city.
10 And I've been listening to people in
11 here for years complaining about trying to cross one
12 street to the mall, you know. They can't even get that
13 accomplished.
14 But it looked like what was said
15 before, the mall's almost history. They're not going
16 to have to worrying about crossing the street if
17 something is not done.
18 I really wish you could do something
19 about these little kids and the school bus stop. You
20 can't put a person out there, they'd get run over. I
21 mean, cars are going 70 and 80 in the morning, because
22 there's very light traffic at seven. It's a
23 catastrophe waiting to happen seriously. Thank you
24 very much.
25 MS. GATELLI: Thank you, Mr. Elman.

1 Pedro Gonzales.

2 MR. GONZALES: Good evening, Council,

3 Youth Council, all members in attendance. My name is

4 Pedro Gonzales, South Side resident, taxpayer,

5 registered voter.

6 I'm here today as a representative from

7 the Scranton Latin Alliance. We are a non-profit

8 organization here in the City of Scranton dedicated to

9 help the Latin people in any shape or form that we can.

10 It's been a while since I've been here

11 last. I'll have to admit, we've changed jobs, we've

12 been really, really busy, but my reason for not being

13 here is changing employment. I work nights now, so I'm

14 playing hooky tonight, and my boss will find out soon

15 enough.

16 But we have a new location. We

17 actually have an office now, not a little corner of a

18 store anymore. We are at 317 South Main Ave, generally

19 the same block, but we have a new office, a couple of

20 rooms, big desks, some stuff like that, thank God. We

21 have growing.

22 We just had a health fair, February 7th

23 and 9th, a free health fair, where doctors from Mercy
24 Hospital came down, gave blood pressure testing,
25 cholesterol scan, and we had a chiropractor on staff,
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1 also. He came down. Everything free of charge. We
2 had about 35 families come down, assess them all. It
3 was great, fabulous time.

4 The ESL program that's up and running,
5 up and running for about the last six weeks. We have a
6 location in a church on Dorothy Street. We have about
7 12 to 15 students. Everything seems to be working fine
8 with that. They're growing, they're learning, they're
9 even cracking jokes in English now, so we'll see how
10 that goes. So far so good.

11 And we have helped many people find
12 jobs, secure jobs in this city. We have become a job
13 placement agency. I don't know how it happened, but it
14 did.

15 We've helped people find jobs at Mercy
16 Hospital right up to Andrew Brown's Pharmacy, places
17 like that, local businesses. And for any business
18 owner out there that wants a person, a Latin person, in
19 any shape or form that can speak both languages and

20 might be able audible to help service your customers in
21 any shape or form, please contact the Scranton Latin
22 Alliance, 504-4455.

23 March 25 we're having a Lupus Loop Walk
24 in the Steamtown Mall. We are raising money for the
25 Lupus Foundation. We are helping the Lupus Foundation.

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1 We are sponsoring them. My mother passed away from
2 Lupus a long, long time ago, so that is my charity of
3 choice. Some of you know that, some of you don't.

4 But we're getting together with
5 Boscov's, Uno Fitness, the Scranton Latin Alliance, and
6 we are putting together a massive, massive fundraiser
7 in the Steamtown Mall March 25. It starts at 8 a.m.

8 It's going to run until about three in the afternoon.

9 We have live entertainment. We're
10 actually going to walk around the mall, again, to raise

11 money. \$10 registration fee, you get a shirt, the
12 first 75 people get a shirt, and we will be having

13 food, hot dog sales for a dollar, things to that

14 effect. We have doctors from Mercy also doing health
15 assessments there. Uno Fitness will be doing body fat

16 analysis, so forth and so on. A couple other of

17 organizations will be on staff.

18 The Children's Library will be there.

19 This is very Latin friendly. (UNTRANSCRIBABLE) Please,

20 in other words, come on down. All the Latin people in

21 the city (UNTRANSCRIBABLE). Translation, please, all

22 the Latin people, come on down to the Steamtown Mall,

23 have fun with us. I don't want to mess with Lisa too

24 much tonight, you know.

25 Again, very Latin friendly. All our

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1 functions are and will be. We have translators there

2 on staff. We have printed material in English and in

3 Spanish. We have plenty of people that will be there

4 narrating books, so forth and so on. Very, very Latin

5 friendly. Please, come on down. Tell a friend.

6 April 10th and 12th, we are having

7 another free health fair at 317 South Main. That will

8 consist of different doctors and different people.

9 Hopefully we are going to get Marywood to come on down

10 this time, the nurses from Marywood. They are student

11 nurses and a couple other people. Red Cross will

12 definitely be there, also. They are looking for the

13 Spanish people to come on down and be a part of them.

14 They're looking for volunteers, so forth and so on.
15 Great organization, The Red Cross, of course.
16 And last but not least, we are going to
17 have a tremendous skating event, roller skating event.
18 We are sponsoring the children's advocacy center,
19 trying to raise money for the children, abused
20 children, abandoned children, so forth and so on.
21 This will be held at the Icebox Arena
22 down in Providence. A whole sleeve of people will be
23 there, also. And I am so thankful to be a part of the
24 Scranton Latin Alliance. We have grown so much and
25 helped so many people, and it's only the beginning. I

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1 can't wait to work with some of you guys hopefully in
2 the future.
3 And the skate park, I see people still
4 talking about the skate park. That's what brought me
5 about. That's how I got here. You ladies know, I have
6 spoken about it when I first got on the scene here in
7 Scranton, it was about the skate park, and it blossomed
8 into something else, and I'm so thankful, I'm so
9 thankful, but, still, I see there's still a problem
10 with the skate park situation.

11 And I've told La Senorita Fanucci one
12 time if the state of the city just gave me half or gave
13 us, excuse me, gave us half of what they spent on fines
14 and detaining these individuals, breaking their
15 skateboards, the police force messing with these kids
16 so forth and so on, loitering tickets, fines, so forth
17 and so on, we could build us a skate park, we could
18 build us an indoor skate park. We would not have this
19 problem. It would eliminate a lot of, a lot of
20 problems with the law enforcement agency, it would help
21 the revenue so, so much in this city.

22 MS. GATELLI: Okay. Thank you, Mr.

23 Gonzales.

24 MR. GONZALES: And last but not least,

25 please. Last but not least, please. I have one

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1 request, one request, if I may. We are trying to
2 organize a Latin Day Parade in this city that will
3 involve all Latin nationalities, not just the Puerto
4 Ricans, not just the Dominicans, Cubans, so forth and
5 so on, we are including all Latin nationalities and
6 anyone else who would be kind to come on down and have
7 fun with us. How would I go about getting the proper

8 permits?

9 MS. GATELLI: I think you just need to

10 go to the chief of police, and he --

11 MR. GONZALES: That's it?

12 MS. GATELLI: Yeah. And he has the

13 permits there, and you go through him.

14 MR. GONZALES: Yeah. I do not have to

15 go to the Mayor's office or anything of that effect?

16 MS. GATELLI: I don't think so.

17 MR. GONZALES: Excellent. Once again,

18 my name is Pedro Gonzales, and thank you so much for

19 letting me express myself. God Bless you all.

20 MS. GATELLI: Thank you very much. We

21 miss you in South Scranton.

22 MR. GONZALES: Thank you. I miss you

23 too, Judy.

24 MS. GATELLI: Would anyone else care to

25 speak before Council? Mr. Ancherani.

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1 MR. ANCHERANI: Good evening, Council.

2 I'm Nelson Ancherani. I'm a resident, taxpayer, city

3 employee and financial secretary of the FOP.

4 I'm again asking that a \$200 per month

5 bonus be paid to the city employee soldiers who served
6 in Iraq and they returned to their jobs. That bonus
7 would only be for the months that they spent in Iraq,
8 so, not the whole time that they were in the service.
9 Over the past five years, we have
10 talked about a lot of subjects. In January 2002, when
11 the current administration took over, the city had a \$3
12 million surplus left over from the previous
13 administration.
14 In four short years, we have borrowed
15 ourselves into a deep and virtual bottomless pit. We
16 are facing a whopping \$200 plus million debt long-term.
17 The truth of the matter, in 2002, the present mayor had
18 the opportunity to sit down with its employees and
19 negotiate contracts, contracts that would benefit all
20 the parties, the citizens, the city and the employees.
21 The Mayor decided to file for
22 arbitration, thus ending any negotiations. Arbitration
23 hearings began and lasted until September 1, 2004.
24 Since September 1, 2004, all the parties are waiting
25 for the arbitrator's opinion. The tab since the

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1 arbitration process started is over a million dollars

2 and continues to get larger.

3 It has been 19 months since the

4 hearings ended, and there is nothing to show, except

5 bills to attorneys and arbitrators, and the countless

6 hours spent on preparation for the hearings.

7 Millions were spent on Nay Aug for

8 dirt, the water slide, the fish pond with green water,

9 the undersized bath house, the zoo with the raw sewage

10 running over the Davis Trail, the Davis Trail,

11 Christmas lights, security for the slide, the

12 refurbished train that sat unprotected from the

13 elements.

14 Now the mayor wants \$300,000 for a tree

15 house at the gorge. Does anyone know how much money

16 was donated so far?

17 MS. GATELLI: No. We spoke about that

18 before. We are going to find out.

19 MR. ANCHERANI: Okay. What account the

20 money went into, that also, okay? In August 2003, a

21 \$72 million bond was obtained by the city. \$1 million

22 was for the Davis Trail, \$12 million for capital

23 improvements, \$1 million to other parks, \$13 million

24 Worker Comp. self insurance, \$10 million pension fund,

25 \$7 million for four-year-old pension management advance

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1 to Provident Mutual, a \$300 million DPW building, which
2 went \$1.7 million over budget, and a \$3 million police
3 building, which went \$600,000 over budget and wasn't
4 built big enough. I'm going to keep saying that.

5 That leaves at least \$22 million not
6 accounted for, although \$1 million was used to obtain
7 the bond rating.

8 Money over the years has been spent on
9 flower pots, like I said, and numerous, numerous other
10 items. I don't have time to mention them all. I would
11 have to take a lot more than five minutes.

12 One example is \$5.5 million arbitration
13 loss to American Anglican that taxpayers will get the
14 bill on. Does anyone up there know where the \$20
15 million balance for the bond was spent? It was a \$72
16 million bond issue, but \$20 million, they never
17 allocated that for anything. Does anybody know where
18 that went?

19 In October of 2003, \$27,123 was spent
20 on Nay Aug water bills because there was a leak in the
21 pool. But what I'm getting at here is that it is a
22 good thing for children and visitors to be able to

23 enjoy Nay Aug Park.

24 If we spend millions so that all

25 visitors to the park will enjoy themselves, then why

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1 can't we spend approximately \$20,000 on the employee

2 soldiers who fought for our freedom to enjoy our parks?

3 So, I say to Council, take the bull by

4 the horns, and you make a motion to pay these soldiers.

5 It's the right thing to do. Restore our pride. Thank

6 you.

7 MS. GATELLI: Is there anybody else

8 that would like to speak before Council?

9 MS. STOKER O'MALLEY: Good evening,

10 Council. Sarine Stoker O'Malley. I came here tonight

11 to see if anybody in the last couple of weeks heard,

12 talked to, saw anybody. No.

13 I saw Mr. Parker, he came in where I

14 work. I asked him what was happening. He basically

15 told me he didn't know. He didn't know anything about

16 it. He looked confused.

17 I'm right back to square one. I have

18 to ask Council now to ask the Mayor, because I can't

19 see the Mayor, he will not see me, me, a taxpayer, to

20 just sit down, you know, talk to me, tell me what is
21 the story with my property.

22 Give me access to my property. I am
23 paying taxes on land I cannot use, and it is the most
24 ridiculous thing that I've ever heard in my entire
25 life. I tell anybody about this, they laugh, because
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1 it's just wrong. And I see not an answer from anyone,
2 not from the Mayor, or anyone. Council, can you help
3 me?

4 MS. GATELLI: Well, I really don't know
5 what we can do, other than to keep asking them to do
6 it. I mean, Amil, do we have any -- can we make the
7 Mayor do or make George Parker open that street? I
8 mean, I don't know if we have the authority to.

9 MR. MINORA: I don't know why it's not.

10 You know, is there a reason?

11 MS. STOKER O'MALLEY: No.

12 MS. GATELLI: I don't know. But, see,
13 Paul Lameo had the same problem. He had property that
14 he couldn't get to. Remember he used to come here?

15 MR. COURTRIGHT: Hers was an open
16 street.

17 MS. STOKER O'MALLEY: That's different.

18 MR. COURTRIGHT: Her street was open at

19 one time.

20 MS. STOKER O'MALLEY: Yes, it was.

21 MR. COURTRIGHT: I went through this

22 with you, Sarine. I thought we had it solved.

23 MS. STOKER O'MALLEY: So did I.

24 MS. GATELLI: Well, I'm not getting an

25 answer.

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1 MS. STOKER O'MALLEY: Either am I. And

2 I'm not getting one for 13 years, Judy.

3 MS. GATELLI: And in my heart, I just

4 don't think they're going to do it.

5 MS. STOKER O'MALLEY: So, what do I do

6 next? What do I do?

7 MS. GATELLI: I don't know. I don't

8 know that answer, that's why --

9 MS. NEALON FANUCCI: Put it in the form

10 of a motion that we'll open the street, send it, we'll

11 open it and see what happens. What could happen?

12 Could anything bad happen?

13 MR. COURTRIGHT: Make the motion. Go

14 ahead.

15 MS. FANUCCI: I make a motion that we

16 open it.

17 MR. COURTRIGHT: Second.

18 MS. STOKER O'MALLEY: Thank you.

19 MS. GATELLI: On the question?

20 All in favor?

21 MS. EVANS: Aye.

22 MS. NEALON FANUCCI: Aye.

23 MR. MCTIERNAN: Aye.

24 MR. COURTRIGHT: Aye.

25 MS. GATELLI: Aye. Opposed? The ayes

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1 have it and so moved.

2 MS. STOKER O'MALLEY: Thank you. Now

3 we'll see what happens, if anything.

4 MS. GATELLI: If we could do things

5 that easily.

6 MS. STOKER O'MALLEY: Don't you wish it

7 was that easy?

8 MS. GATELLI: We can make motions for

9 everything. I don't know if it will hold any water,

10 but we'll try.

11 MS. STOKER O'MALLEY: I understand, and
12 I appreciate it. I'm still going to continue to try to
13 see the Mayor. He won't see me.

14 MS. GATELLI: We'll try.

15 MS. STOKER O'MALLEY: I'm still going
16 to keep going down and trying to talk to Mr. Parker.
17 I'm just going to keep going. I'm not going to go
18 away. I want my street open and I want access to my
19 land.

20 The other question that I have for
21 Council is that I asked once before about KOZ, why
22 can't this be KOZ'd until this matter is straightened
23 out?

24 MS. NEALON FANUCCI: I believe the
25 State has to come in and evaluate that. So, maybe we
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1 need to look into that first.

2 MS. STOKER O'MALLEY: They would be
3 more than happy to, because this is their money. You
4 know, they spent all this -- they paid the city to
5 maintain this, and it was never done. It was grossly
6 neglected, as everybody knows, so much so that the
7 bridge was torn down. So, the State, I'm sure, would

8 --

9 MR. COURTRIGHT: Sarine, could I ask

10 you a question? All you're looking for is to get these

11 trees removed? I mean, if they came in and bulldozed

12 them --

13 MS. STOKER O'MALLEY: Okay. Honestly,

14 this is what I need, honestly, I need, and it would

15 take one day, okay? It would take tree cutters to come

16 up. Maybe if the city wants to put, like, a --

17 MR. COURTRIGHT: I mean, if they come

18 in and bulldoze it, they could bulldoze these trees

19 down, right?

20 MS. STOKER O'MALLEY: They could

21 bulldoze it.

22 MR. COURTRIGHT: Then you'll be happy?

23 MS. STOKER O'MALLEY: I will be happy

24 and go away.

25 MR. COURTRIGHT: I don't know why we

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1 can't do that.

2 MS. STOKER O'MALLEY: Exactly. I can't

3 either. I think it's the most ridiculous day. It

4 would be like winning the lottery.

5 MR. COURTRIGHT: I think there's
6 something more to it, or else I think he would have
7 done it by now. You know, if it's that simple, I --

8 MS. STOKER O'MALLEY: I've never gotten
9 a reason ever why -- and honestly, I never heard about
10 cost until you said it, Mrs. Gatelli, honestly. Nobody
11 ever said it to me, because I'm always saying, Well, my
12 family paid taxes on it, I'm still paying taxes on it,
13 the State paid the city to maintain it, so nobody said
14 anything to me about cost ever.

15 And it would take one day. It would
16 take one day to open it. It would take tree cutters, a
17 dozer, and if they want to put a, you know, a drainage
18 ditch across that street, but that's up to them. But I
19 don't think so, because there's hardly any water goes
20 there.

21 MS. NEALON FANUCCI: Did something
22 happen that they closed it, or did they just stop
23 maintaining it?

24 MR. COURTRIGHT: They just let it
25 overgrow.

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1 MS. NEALON FANUCCI: It just wasn't

2 maintained any longer. So, there was no problem that
3 they decided to vacate it?

4 MS. STOKER O'MALLEY: No. There used
5 to be a house up there in 1974.

6 MS. GATELLI: It's the same on Archbald
7 Street over on West Side. You know there's a real
8 steep hill on your way up to St. Ann's, when you go
9 around the junkyard, and they just let that overgrow,
10 too.

11 MS. STOKER O'MALLEY: The only thing I
12 have to say to everybody is, too, I'm not even asking
13 for it to be all the way open to Wintermantle, only up
14 to and including the end of my property line.

15 MR. COURTRIGHT: Yeah, Wintermantle
16 would be a project.

17 MS. STOKER O'MALLEY: Oh, yeah. I'm
18 not asking that.

19 MS. GATELLI: That was never open to
20 Wintermantle.

21 MS. STOKER O'MALLEY: No, it was never
22 open, but it was to the house that was there.

23 MR. COURTRIGHT: Let's see if our
24 motion does something. If not, then we'll move forward
25 on something else.

1 MS. STOKER O'MALLEY: Well, all I can
2 keep doing is trying, and I'm sorry to keep bothering
3 you, but I will continue to keep coming until I get
4 satisfaction, which is something I'm rightfully
5 entitled to. Thank you.

6 MS. GATELLI: You're welcome. Thank
7 you. Anyone else like to speak before Council?

8 MR. MCGUIRE: Bill McGuire, Scranton
9 resident and taxpayer. Since Council is so nice to
10 pass motions, maybe -- over the past I have given some
11 information on licenses of cats in the city, and I'm
12 also introducing a trap, neuter and release program for
13 spay and neutering of cats.
14 If Council could introduce or make a

15 motion that we at least entertain it to see what
16 legally we have to do to make this --

17 MS. GATELLI: I'll make a motion that
18 we have Mr. Fiorini check into licensing of cats.

19 MS. NEALON FANUCCI: I second that
20 motion.

21 MS. GATELLI: On the question? All in
22 favor.

23 MS. NEALON FANUCCI: Aye.

24 MR. MCTIERNAN: Aye.

25 MS. GATELLI: Aye. Opposed? The ayes

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1 I have it and so moved. Hey, come on up, guys.

2 Tonight's the night. Anyone else?

3 MS. NEALON FANUCCI: I do want to

4 comment. I think that's a great program. I believe we

5 will all benefit from that in the city if we can get

6 that going, so I do agree with that. So, hopefully we

7 can get somewhere with that.

8 MS. GATELLI: I see Mr. Ancherani is

9 waving to me back there, so I better make the motion

10 about the \$200, or I won't hear the end of it, for the

11 soldiers in Iraq. I make a motion that we send that

12 letter to the Mayor.

13 MS. NEALON FANUCCI: I second that

14 motion.

15 MS. GATELLI: On the question?

16 All in favor?

17 MS. EVANS: Aye.

18 MS. NEALON FANUCCI: Aye.

19 MR. MCTIERNAN: Aye.

20 MS. GATELLI: Aye. Any opposed? The

21 ayes have it and so moved. If there's no one else --

22 MS. GARVEY: 5-A, motions.

23 MS. GATELLI: Mrs. Evans.

24 MS. EVANS: Good evening. I ask for

25 your prayers for two Scranton High School students

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1 tonight, Christian Budney, who was seriously injured in

2 a snowboard accident last weekend, and Pat Lavoulo,

3 who was recently diagnosed with Hodgkin's disease.

4 Both boys and their families need our prayers.

5 Also, there will be a fundraiser

6 conducted on Sunday, March 19 from two to five at the

7 American Legion in Minooka to benefit Pat Lavoulo and

8 his family. Tickets are \$10, and i encourage everyone

9 to attend.

10 At the February 23rd meeting of

11 Scranton City Council, I made a motion which passed

12 unanimously by this Council to draft a resolution to

13 instruct Mr. McDowell, city tax collector, to submit a

14 detailed EMS tax refund plan for 2006. Can you update

15 me?

16 MR. MINORA: I have not done that yet,

17 but I wanted to talk to you about that.

18 MS. EVANS: Okay. I had a concern

19 after I first brought that up, and I'm wondering who

20 Mr. McDowell is accountable; in other words, who

21 oversees his job performance.

22 Taxpayers have complained to me since

23 that evening that some of them have not yet received a

24 \$10 occupational privilege tax return from the year

25 2004, others from 2005. Still others complained that

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1 as of February 2006, they still had not received their

2 2005 local income tax refunds.

3 In addition, employers complain that

4 they must deduct this tax, that is the EMS tax, from

5 all employees, regardless of their wages or be forced

6 to pay the tax themselves, which is why some workers

7 which, Mr. McTiernan noted, two weeks ago was a concern

8 of his, those that work more than one job, they have

9 had the EMS tax deducted more than one time.

10 And my greatest fear at this point in

11 time is that workers will pay their 2007 EMS tax before

12 they ever receive their refund from 2006.

13 So, I am hoping that perhaps we could

14 have a public caucus with Mr. McDowell and get his
15 point of view on this and perhaps he can personally
16 provide his plan for dealing with all of this at the
17 end of year.

18 I'm sure it's not going to be as simple
19 as show your pay stub and get a check. I would imagine
20 we're going to see a holdup on that for several months
21 at the very least, which is why I have indicated you'll
22 be paying twice before you even get the first refund
23 back .

24 MR. COURTRIGHT: Ms. Evans, could I --

25 MS. EVANS: Sure.

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1 MR. COURTRIGHT: I also was going to
2 ask for that. I'm not trying to put him on the spot or
3 anything, but I'm getting flooded with questions, and I
4 had an individual that works three part-time jobs in
5 three different municipalities, so they got whacked
6 three times, and one of the municipalities said they do
7 not give refunds.

8 MS. EVANS: They don't.

9 MR. COURTRIGHT: One municipality told
10 them they didn't, so some of the questions I think that

11 we need to ask him, you know, is how do you go about
12 getting your refund, when will you get the refund and
13 things to that nature.

14 So, maybe if we come in, and, again,
15 not to put him on the spot, but I think if we have him
16 in, I think we need to do it on the air so that --

17 MS. EVANS: Yes, so people could hear
18 the responses.

19 MR. COURTRIGHT: Let's give him plenty
20 of time so he can prepare himself.

21 MS. EVANS: But what you're saying is
22 one person, for example, paid \$156, and they aren't
23 going to get that back?

24 MR. COURTRIGHT: There were told by the
25 one municipality, their municipal does not give
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1 refunds.

2 MS. GATELLI: The other municipalities
3 do not give refunds because they charge every one that
4 makes \$1,000, so they pay on every \$1,000 job they
5 have. We made it \$12,000. And, you know, frankly, you
6 know, we're being made to look like the bad guys, when
7 we, in fact, are the only municipality that raised it

8 to \$12,000.

9 MS. EVANS: And, frankly, it should be

10 even higher than that.

11 MS. GATELLI: Well, it's supposed to be

12 going up to \$20,000.

13 MS. EVANS: Yes. \$20,000 would

14 certainly be, I think, the most minimal amount that

15 should be considered, because we're talking about

16 poverty level lifestyles here where people simply can't

17 live on that amount of money and they're expected to

18 dole out in one lump sum \$52 to every municipality

19 township or borough for which they're working.

20 MR. COURTRIGHT: Sorry.

21 MS. EVANS: No, I agree. I'm very glad

22 that you interrupted.

23 MS. GATELLI: Maybe when there's

24 someone new down in Harrisburg, they will have a say

25 and it won't happen like that, because the state seems

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1 to do that quite frequently, especially to the school

2 district.

3 MS. EVANS: Drop the ball you mean?

4 MS. GATELLI: Yes.

5 MS. EVANS: Yes.

6 MS. GATELLI: And mandate programs that
7 can't be funded.

8 MS. EVANS: Except through your local
9 taxpayer.

10 MS. GATELLI: Exactly.

11 MS. EVANS: We did receive, as you
12 noted earlier, a response from Mr. Belardi, and
13 according to that document, it seems that there's been
14 a tug of war of sorts between the General Assembly and
15 the State Senate as to how to address this
16 specifically, and he indicates they're still working on
17 this and they hope for a solution this year.

18 Well, we can hope that will happen, I
19 don't know if it will or not, but on the other hand, I
20 think we have to at least try to do something, put some
21 plan in place that's going to protect our people
22 locally at the end of this year, because when you're
23 looking at \$10, you're waiting for \$10 for two years,
24 there's a problem.

25 Also, I recently read that Scranton and

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1 Dunmore are exploring a public safety merger, which was

2 discussed earlier this evening among Council speakers.

3 It appears that DCED supports these types of

4 regionalizations, and sometimes awards or rather grants

5 are awarded through DCED to the participating boroughs

6 and municipalities for necessities that are incurred as

7 a result of such mergers.

8 So, my greatest hope at this point is

9 that if this situation continues, discussions,

10 negotiations continue, that DCED and the municipal

11 unions, as well as management, are all equal partners

12 in this process.

13 What would be most unfortunate is to

14 have those guiding the process who have absolutely no

15 expertise in public safety.

16 And when we're looking at something --

17 a picture that is indeed that large, I think it's

18 imperative that all three parties participate.

19 In addition, I also noticed that

20 Dunmore's QRS has been reinstated and that Dunmore

21 shares its ambulance provider, Lackawanna Ambulance,

22 with Scranton.

23 In fact, large departments nationwide

24 use the quick response service, yet in Scranton, we do

25 not.

1 Within the last two years, the Mayor
2 has refused to instate the quick response service,
3 although, Council learned that the City of Scranton is
4 not guaranteed the presence of even one ambulance
5 within city limits at any given time.
6 I think Scrantonians deserve a quick
7 response to medical emergencies such as heart attacks,
8 seizures, serious breathing problems when an ambulance
9 isn't available or when that ambulance experiences
10 difficulty finding the location. And we've heard some
11 very unfortunate cases where that has occurred and an
12 individual passed away.
13 Therefore, I move that Council send a
14 letter to Mr. Doherty and Mr. Schriber requesting that
15 they discuss and hopefully implement a QRS for Scranton
16 residents. I think the people's health and welfare
17 have to take precedence right now over contract
18 negotiations.

19 MS. GATELLI: I'll second that motion.

20 On the question?

21 MR. COURTRIGHT: On the question. We

22 thought that we had. We thought we had an agreement.

23 When I you say we, myself, members the union, Director

24 Hayes and Chief Davis thought we had worked something

25 out for a QRS at one time, and then when it was brought

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1 to the administration, I believe the answer was, and I

2 think I'm correct on this, was they weren't willing to

3 implement a QRS system until one time union contracts

4 were settled. So, I fear that's the answer that we

5 will get again.

6 MS. EVANS: Well, it seems, though, if

7 the Mayor, and it appears this is true, is involved in

8 discussions with Dunmore over a partnership and Dunmore

9 utilizes a QRS, then it seems to me Scranton will be

10 doing so, as well.

11 And since you're greatly expanding the

12 area of coverage by incorporating the Dunmore QRS, I

13 would assume that our men are going to have to join

14 that effort.

15 So, in the meantime, why, oh, why, if

16 someone could please tell me do Scrantonians have to

17 suffer without benefit of such a program that can be

18 provided at next to no cost, if any, simply out of

19 obstinacy?

20 So, I am hoping right now that this may
21 change because of the circumstances that have come to
22 light over a possible regionalization.

23 MS. GATELLI: Anyone else on the
24 question? All in favor.

25 MS. EVANS: Aye.

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1 MS. NEALON FANUCCI: Aye.

2 MR. MCTIERNAN: Aye.

3 MR. COURTRIGHT: Aye.

4 MS. GATELLI: Aye. Opposed? The ayes
5 have it and so moved.

6 MS. EVANS: I also had the pleasure of
7 attending a Taylor Borough Council meeting last
8 evening. And as it was my first visit, I was amazed to
9 see the Mayor, Mr. Bowen, seated next to Council,
10 almost as if he were the eighth councilman.

11 He provided a detailed mayor's report
12 in which he enumerated the type and number of every
13 crime recently committed in Taylor Borough.
14 Mayor Bowen also provided input and
15 answered questions posed by Council members. The
16 Council agenda itself included an itemized list of

17 December 2005 invoices for approval, as well as a
18 financial statement as of February 28, 2006, and a
19 recycling report.

20 The Council President, I must say, ran
21 a most impressive and orderly meeting, and both the
22 Mayor and the Council, and I should add their staff,
23 really deserve my accommodations and admiration. I've
24 never really witnessed such a well run cooperative
25 meeting with full disclosure of information on both the

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1 part of a Mayor and a City Council.

2 MS. GATELLI: Welcome home.

3 MS. EVANS: I don't know that we're

4 quite there yet.

5 MS. GATELLI: That's what I mean.

6 Welcome home.

7 MS. EVANS: Oh, we're back here.

8 Right, right. Okay. I also have a few citizen

9 requests. And I do apologize to many of you who have

10 attempted to E-mail me this week, but I am experiencing

11 computer difficulties.

12 First the intersection of Parker Street

13 and Boulevard Avenue, citizens report that there were

14 once four stop signs and one on each corner, now there
15 are only three.

16 They also report that vehicles speed

17 from this intersection to the Throop border, despite

18 numerous potholes, so please send letters to Mr. Parker
19 and Chief Elliott.

20 Next, residents of the Marvin Section

21 report that sidewalks are needed on Wilbur Street and

22 Charles Street. They state there are, in fact,

23 \$170,000 homes and upward that are still without

24 sidewalks.

25 Also, residents of North Main Avenue in

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1 North Scranton report that sidewalks are needed in

2 their area. Since it is one of the gateways to the

3 City of Scranton, we feel it presents a very poor

4 picture of our city to visitors, travellers and

5 residents.

6 And in the 500 block of West Market

7 Street, speed limit signs of 25 miles per hour are

8 posted, yet dozens of vehicles continue to speed down

9 the hill thereby placing three DPW workers, Mike

10 Thomas, Wally and Tom Evans in danger as they pick up

11 refuse.

12 And this occurs every Tuesday morning.

13 They find themselves jumping out of the way of speeding

14 vehicles onto a curb. So, I do not wish to see our

15 workers' safety jeopardized. And, once again, I would

16 request that police monitor this block on Tuesday

17 morning, when they can, between the hours of 6:45 and

18 7:35 a.m. That's it.

19 MS. GATELLI: Thank you. Mrs. Fanucci.

20 MS. NEALON FANUCCI: I am going to

21 respond a little bit on what people are talking about

22 tonight. People -- I feel that people are thinking

23 that we do not appreciate them and do not want them to

24 invest in our city. I feel like we're a little bit

25 skeptical of everyone who wants to bring a business

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1 here.

2 Businesses are excessively important.

3 We want everyone to feel welcome. I do not -- you

4 know, I heard some things about dog -- people upset

5 about a dog parlor opening or whatever. This is not

6 what we are about. We want everyone to feel like they

7 are welcome here.

8 The development downtown, I'm a little
9 concerned about why we're upset about loft apartments
10 and developing. Loft apartments are excessively
11 important to our downtown, and here's why. We want
12 people to come home and live downtown and that be their
13 neighborhood. We want them to park their cars and
14 spend their money and stay home.
15 Like we go home to our neighborhoods,
16 we want downtown to be a neighborhood. We want them to
17 spend money at the mall and walk to the stores and walk
18 to the restaurants. Once they're home, they're home.
19 That is something that's imperative for us to survive.
20 We want that to be their own community.
21 Eventually I'd like to see a grocery store. I'd like
22 to see, you know, the florist open all night. This is
23 what our hopes are.
24 So, the loft apartments are not
25 necessarily a bad thing for any of us. We want them.

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1 We want people to live in our downtown.
2 Something about the mall, I don't
3 understand why people think the mall is closing.
4 MS. EVANS: I think it's because of the

5 proposed stores at Montage.

6 MS. NEALON FANUCCI: All right. Well,

7 have you been anywhere else? There are Wal-Marts in

8 every half a block, there are stores everywhere. We

9 are shoppers. We're prepared for it. We're going to

10 be okay. I don't think there's a big threat of the

11 downtown mall closing.

12 It sort of makes me -- you know, we put

13 out these big red flags all the time as if we're a

14 community that are always on the brink of destruction.

15 That is not the case. We want businesses

16 The more business, the more

17 competition, the more competition, the more money, the

18 more you benefit as a community. Get guess? Because

19 he has to put his price down, so you go to him.

20 Competition bring business.

21 Ask any restaurant, ask any business.

22 They love when another restaurant opens. Why? Because

23 you might be here today, but tomorrow, you're next

24 door. We want as many businesses as we can get. It is

25 important for us.

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1 About our taxes, listen, we can fill

2 every pothole right now, we can pave every street, but
3 we do not have businesses here, the potholes are going
4 need to be filled next week, next year. This is what
5 we are about, this is what we need.

6 So, I just want to address a lot of
7 these things. I think because of now I'm spending a
8 lot of time with OECD, I think I'm starting to get the
9 understanding of what we need to survive. We want
10 everyone to feel welcome.

11 I also want to talk about why the
12 business opens and what's a big deal. Okay, yeah.
13 Because your cousin is going to put the carpet in.
14 Maybe you're not going to get the contract, but your
15 buddy's got to put the computer in.

16 This is what spawns us as a community
17 little by little. You have a painter, you have a guy
18 who's going to put the windows in. This is where the
19 economic development happens.

20 Every time we question and worry about,
21 well, where is this going? I don't -- you know what,
22 build it. Build it. Develop it. Bring it here for
23 us. This is what we are about.

24 And I feel when I hear these people
25 talking, it almost sounds like we don't want you. No,

1 we want everyone. Come to Scranton. Build here.

2 We'll be thrilled. I went off on a little tangent, I'm

3 sorry, but I really, really feel that this is

4 something.

5 MS. GATELLI: You can talk all you

6 want.

7 MS. NEALON FANUCCI: Oh, my God --

8 MS. GATELLI: With me and Janet here,

9 you don't get much of a chance.

10 MS. NEALON FANUCCI: I really don't. I

11 got the mic, I'm starting to feel really good about it.

12 When we give projects an idea to grow,

13 we say no to -- you know, if you say no to everything,

14 you have no chance for anything. So, taxpayer-wise,

15 guess where you're going? Nowhere. No, no, no, guess

16 what it means? Nothing, nothing, nothing.

17 When you see no development and spawn

18 new activity -- look at this Junior Council, this

19 wouldn't have happened before. Why? It just wasn't

20 given a chance. That's all we need.

21 So, I am going to be someone who wants

22 things to happen. I'm going to sit down and make

23 things happen. I'm going to sit with the Mayor, I'm
24 going to sit with our Council.

25 Now, she was talking about Taylor,

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1 yeah, I talk to the Mayor of Taylor all the time. It
2 is run unbelievable. Why, though? Because there's no
3 nitpicking. I'm calling it what it is. There is no
4 nitpicking. It's not, well, last year you didn't -- I
5 don't care about last year. I care about now and next
6 year. That's what we're about. It's now today. Let's
7 start.

8 Now, we've listened to all these
9 complaints, we have the road, vacate a road. It breaks
10 my heart. How would you like to have a property you
11 can't use? All right. Well, let's get it done. Let's
12 open it. We just have to pull together. Enough of the
13 paper.

14 Pick up the phone, call the people we
15 need to call and say we want to work together. I
16 believe that the people working in this city are great
17 people. I believe the administration are good people.
18 Why? Because they're us. They're working for us.

19 It is not Council against

20 administration, it's not the administration against
21 Council. We are all one. Why? Because I pay taxes.
22 I'm not only your Councilperson, I pay taxes.
23 It's time that we just pull together
24 and start working. And I know we're all ready, we're
25 all ready.

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1 So, when I hear people get up and bash
2 all of the stuff, it makes me feel like a little bit
3 like, Let's do it. Let's not worry about what. Let's
4 say, Come on. Bring it on. We're ready for it. We
5 want you here.
6 Another thing I'm going to bring up
7 while I'm on a role now that I got the mic, the park,
8 the park, the park, the park.
9 I was on the planning commission. All
10 I heard was we are losing the jewel of our city.
11 Please do something for us. Every week of my life,
12 please, please, help us. We want money put into our
13 city. We lost it. We lost it. We lost it.
14 Now we didn't lose it, and guess what?
15 It's wrong. It's bad. We shouldn't have done it, we
16 shouldn't do it, we shouldn't have a tree house, we

17 shouldn't -- I don't believe that. I want everything.

18 I want your properties to be condemned

19 next door to you if that's what needs to be done, but I

20 also want a tree house. I want it all.

21 So, to pick and chose and say, like,

22 this is right or this is wrong, I don't believe in

23 that.

24 The reason I got off on the park is we

25 need some stop signs up there. Unfortunately I live

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1 there, so call it right now, if anybody is going to put

2 me on the website or whatever, yeah, it is near my

3 house, but I need a stop sign at the corner of Colfax

4 and Olive.

5 This has been passed -- actually in the

6 previous Council before any of us were here, it was

7 passed when I was on the planning commission. It just

8 was never done.

9 So, I don't even think we need to make

10 a motion on it, we just need to remind everyone. At

11 that time four-way stop signs, and this is a problem we

12 all had, they were -- all over the whole entire -- all

13 of Pennsylvania was not allowed to have four-way stop

14 signs. They're reevaluating the whole entire project
15 and saying, If you need a four-way stop sign, then we
16 have to put a red light.

17 Well, how's that? How about your
18 neighborhood? Would you love that, a red light at
19 every time -- then you'd be really mad.

20 But we need to have stop signs -- a
21 four-way stop sign at the corner of Colfax and Olive.
22 The park traffic, it's only seasonal, but what happens
23 is they fly from the back end of the park all the way
24 down two blocks, and there are kids all over the place.

25 And I thought a Children At Play sign

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1 is only as good as people are reading it, let's be
2 honest. Yeah, Children At Play, as they're driving by.
3 It doesn't mean anything, but we need a stop sign
4 there.

5 So, I went off on my little tangent,
6 and it was my turn. I mean, let's be honest. I've
7 been here for a while. So, I just want to say that
8 it's time to put -- I want a new light on this. I want
9 new ideas, I want fresh ideas, I want to bring us
10 together, and maybe we can learn something from Taylor,

11 yeah, definitely. Let's just stop worrying and start
12 doing more of what we need to do. That's all. Okay,
13 Jud. Thank you.

14 MS. GATELLI: Thank you. My dear
15 friend Mr. McTiernan.

16 MS. NEALON FANUCCI: Ut-oh.

17 MS. EVANS: Before we jump into him, I
18 just want to -- no, no, no, no ut-oh. I am just going
19 to comment very, very briefly.

20 I want it all, too. I think most
21 people want it all, but you can't always afford it all.
22 I mean, you know, we can take a look at any one of our
23 circumstances, and if, you know, you're on a budget,
24 you have to prioritize and you have to do what is
25 essential first. And as much as we all want it all,

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1 unless you happen to be Donald Trump, it's not going to
2 happen.

3 And then I think what the people were
4 trying to say tonight, I could be wrong, I don't get
5 the feeling that they're opposed to a neighborhood
6 creation downtown. I think that's a wonderful idea, in
7 fact, I think I, myself, would like to live downtown

8 eventually, it certainly would be much handier for me
9 and much more vibrant, but if loft apartments are going
10 at a monthly rate of \$1,500, that's completely
11 inaccessible to the vast majority of Scrantonians.
12 They simply don't earn the wages to support that.
13 I know -- really I do -- I'm far better
14 off than many, many people in Scranton, and there are
15 other people who are far better off than I, but I
16 couldn't afford that rent. And for that amount of
17 money, I can own a home, you know, pay a mortgage, pay
18 the utilities and actually say this is mine.
19 So, it's quite an amount of money. You
20 know, I know that there are some people who are going
21 to thankfully be able to pay that amount, but for the
22 vast majority of us, that's simply out of our reach.
23 And we're in our neighborhoods and we're in those homes
24 that, you know, we own and we've been paying on and
25 working for for a lifetime, and we're just asking that

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1 those areas are clean and safe and maintained.

2 MS. FANUCCI: And I don't think anybody

3 is disputing that. We want everything maintained. My

4 fear is that you're not going to be welcomed to charge

5 -- to build a new building and charge what you want to
6 charge. You're not going to be welcome -- no, no.

7 Hey, listen, if you can't rent it,
8 that's your problem, but I don't think you should not
9 build it because somebody out there is saying -- no, I
10 understand your fear. I did say it. I did say it.

11 The problem is there are going to be
12 people there. There's waiting lists --

13 MS. GATELLI: Shh, you're not allowed
14 to talk.

15 MS. NEALON FANUCCI: I'm not engaging.

16 But there's been waiting lists with these buildings
17 built. When Marquis did his building, there was such a
18 waiting list that he could not provide everyone with --

19 I mean, there are people who will pay this.

20 Just because maybe you won't, doesn't

21 mean that there aren't people who will. And I don't

22 think we can stop a project or we should stop a project

23 because someone won't do it. Just because we can't,

24 doesn't mean someone won't. And I'm not going to not

25 attract the people who can bring money to the city so
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1 that they're not here.

2 Well, okay, so they have money and
3 maybe they can afford the apartment, and guess what,
4 they're going to spend the money everywhere else, too.
5 Is that bad? I don't see where it's bad. It can't be
6 bad.
7 MS. EVANS: No, that isn't bad at all,
8 I agree. There are a lot of advantages to that, but I
9 think what people are objecting to is that their money
10 is being used to loan to these developers or given to
11 these developers as grants vis--vis state taxes, et
12 cetera, so what they're -- I think they're underlying
13 concern is that they want their money used, you know,
14 for their priorities, rather than loaned out to wealthy
15 developers that they would prefer would use, you know,
16 their own money to pursue the project.
17 MS. NEALON FANUCCI: Well, I guess I
18 get confused with the wealthy developer and the
19 non-wealthy developer. But my fear -- it doesn't seem
20 to matter to me who -- if you're wealthy or not
21 wealthy, as long as you're developing.
22 I understand you're upset. There are
23 so many things we can do, but what I'm saying is
24 economic development is going to take away all the rest
25 of those problems that you complain about.

1 Until you start somewhere, you are not
2 going to get to where you need to get. You need to
3 bring the money in the city, and you cannot bring it in
4 the city if you do not develop, because you are just
5 going around and around in a circle.
6 These projects are great. Hey, listen,
7 Southern Union, we're all upset about the way this
8 project ended up, but we are left with an unbelievable
9 building with potential for all of us.
10 And it was not that unbelievable what
11 was there before. We did not walk down the street and
12 say, This is great. This is a great building we're
13 left with. But we have it now.
14 This is what we want. We want -- come
15 and put -- I don't care if you put up 100,000
16 buildings, as long as people move here and they want to
17 here. We need to be attractive for people to want to
18 be here. That's all I'm trying to say.
19 I just -- I guess my ideas are
20 different than -- I want the potholes filled, I think
21 it's extremely important, I think it's important that
22 people be able to walk in front of a project when, you

23 know, they feel that their -- but this is long-term.

24 These are not instant gratification projects. And I

25 think if we keep looking for instant gratification and

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1 constantly blocking everything so we're happy all the

2 time, we're going to get absolutely nowhere.

3 And that's my fear. My fear is that we

4 want to get to where we need to be. We want our taxes

5 down, we want to be able to afford where we live.

6 We're all going to be able to do that, but we need to

7 start and be attractive and be available for people.

8 That's all.

9 MS. GATELLI: Thank you.

10 MS. EVANS: I think, though, just one

11 last thing, I know, I know, but this is, I think, a

12 very educational debate, but, you know --

13 MS. NEALON FANUCCI: I don't think it's

14 a debate, I think it's --

15 MS. EVANS: Well, it's an exchange of

16 ideas.

17 MS. NEALON FANUCCI: Yes.

18 MS. EVANS: I think we have, you know,

19 to say any type of progress has been stopped, whether

20 that's fortunate or unfortunate, and it hasn't
21 occurred. The progress has continued full steam ahead
22 now for four to five years, but as a result, we've
23 incurred an awful lot of losses, for example, the
24 Hilton Hotel.

25 And I think, you know, when you're

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1 looking at a long-term debt service that's now probably
2 close to well over \$220 million and you're paying
3 \$20 million in 2006 on your debt service, which is, Oh,
4 I don't know, well, it's over a quarter of your budget,
5 well over a quarter of your budget, there's something
6 wrong.

7 I think in the car business they call
8 that being upside down, and we are upside down hanging
9 by our feet.

10 MS. NEALON FANUCCI: Yeah, but I didn't
11 pass those budgets.

12 MS. EVANS: I didn't pass it either.

13 MS. NEALON FANUCCI: But what I'm
14 saying is we know what we have to work with. We want
15 to work with it. So, there's a certain amount of money
16 for economic development, there's a certain amount of

17 money not for economic development.

18 MS. EVANS: But we've gone, you know,

19 really gone out of balance in one direction, and I

20 think we need to get balanced again.

21 MS. GATELLI: I'm just going to put my

22 two cents in now, too.

23 MS. EVANS: Good.

24 MS. GATELLI: The only thing I can say

25 about that is that when the governor comes here with

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1 money or the state comes here with money, it's

2 earmarked for that project. They're not going to give

3 us money for potholes, they're not going to give us

4 money to hire cops, they give us money for economic

5 development.

6 So, you know, we shouldn't refuse that

7 money. And it's earmarked for that particular reason.

8 It's not for cops or potholes or all the wonderful

9 things that I'd love in my neighborhood.

10 MS. EVANS: But we never refused a

11 grant.

12 MS. GATELLI: No, no.

13 MS. EVANS: No one ever has for any

14 project.

15 MS. GATELLI: No. Absolutely not. All

16 right. Now can I call on my friend Bob McTiernan to

17 see if he's going to talk tonight. Not much time left,

18 Bob. You can have a minute. That's it.

19 MR. MCTIERNAN: Thank you,

20 Mrs. Gatelli. I'd like to start off with a few

21 announcements. First of all, I was asked to announce

22 that the annual Martin A. Nonnenberg Three Point

23 Shootout will be held in memory of Martin Nonnenberg

24 put on by the Martin A. Nonnenberg Tragedy Fund

25 Association.

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1 This will be their third annual three

2 point shootout at the Holy Rosary Hall in North

3 Scranton on March 25 beginning at nine o'clock a.m.

4 All proceeds will go to help victims of tragedies in

5 the Scranton area.

6 Last year's event raised over \$7,000

7 and went on to support 12 local families through the

8 holiday season. Participants of all ages are welcome.

9 With the donation of \$5, participants will receive a

10 commemorative three point shootout T-shirt, and

11 corporate and private sponsors are welcome to help make
12 this event another successful season.

13 The telephone number to contact to
14 participate, donate or help out is 347-0808, 347-0808,
15 and the website that you can visit regarding this event
16 is www.martinnonnenbergthreepointshootout.com.

17 Also, the Scranton High School, I'll
18 put a plug in, since we're doing athletic events,
19 Scranton High School girls basketball team is going to
20 participate in the first round of the state playoff
21 tournament for girls basketball this Saturday at
22 Carbondale Area High School at eight o'clock.

23 And Mr. Courtright and I and
24 Mrs. Fanucci were at a function this afternoon with
25 Governor Rendell speaking, and one of our speakers

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1 tonight mentioned -- I'm sorry. The game is Friday.

2 Thanks, guys. I'm glad the Scranton High guys were
3 here. It's Friday night at Carbondale. I don't know
4 why I'm thinking Saturday.

5 One of the speakers mentioned our local
6 coal supply, and Governor Rendell is talking about a
7 local project in the northeast that will be part of a

8 coal gasification project that, in his terms, will
9 revolutionize energy in Pennsylvania, and he cited that
10 China is building, I believe he said, 13 of these type
11 of plants. I think he quoted \$700 million a piece, 600
12 full-times jobs, I believe, and that Europe is building
13 three, and Pennsylvania is building one. So, we are in
14 international competition for coal gasification, which
15 is in line with one of the speakers this afternoon.

16 I have some detailed information, I
17 guess, that I need to thank Mrs. Garvey on, and it may
18 make it sound like I did the work, but I did not, Mrs.
19 Garvey did the legwork for me, and I'm guess I'm just
20 announcing it, so, thank you, Kay, and I appreciate the
21 work that you did.

22 We've talked an awful lot about KOZs,
23 non-profit taxes, and last week I asked for a handful
24 of items. And I won't go through them all, because
25 there's a long way to go before we can have meaningful

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1 discussions on this, so I'll summarize some of the
2 information Mrs. Garvey was able to dig up for me.
3 She did a little bit of research this
4 week and was able to find out from the local tax

5 office. Talking about the big hitter non-profits, the
6 hospitals and the University of Scranton, and just in
7 summary, Mercy Hospital has 16 properties currently
8 assessed at \$2.3 million that they are paying taxes on.
9 And, again, we need to figure that into the picture
10 when we talk about non-profits.
11 And Community Medical Center has one
12 property on right now assessed millage at \$741,000.
13 Moses Taylor, 19 properties, assessed millage at
14 \$1.6 million, and the University of Scranton, 12
15 properties, total millage assessed at \$116,000 and
16 change, and Lackawanna Junior College with one property
17 asses at \$109,500.
18 And, again, that's just to fill in some
19 of the pieces that there are some taxes being levied.
20 Those are not exempt properties. And many of them are
21 ancillary facilities and parking garages and parking
22 facilities in the City of Scranton. So, there is some
23 information on the good side.
24 Continuing on with some of the
25 information Mrs. Garvey was able to get for me, we've
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1 talked very early in the fall about KOZs and taxes that

2 Pennsylvania municipalities can levy, and this is just
3 a list of the approved taxes that a city in
4 Pennsylvania can levy, real property, occupation,
5 occupational privilege, which now we would consider the
6 EMS tax, per capita tax, earned income, realty
7 transfer, amusement, mechanical devices and mercantile.
8 I believe, I would have to look back
9 through some of the records, but I think we use most of
10 those taxes. The only one that we may have a little
11 bit of additional wiggle room might be amusement taxes,
12 mechanical, and I'm not sure what other taxes are out
13 there.

14 So, we have a little bit more research
15 to do with regard to that, but that's according to the
16 government taxes website. So, I thank Mrs. Garvey for
17 digging some of that information up for me. Finally --
18 MS. GATELLI: Now, you're getting
19 carried away, Mr. McTiernan. You're way beyond your
20 minute.

21 MR. MCTIERNAN: My minute. My minute
22 of fame, I suppose.

23 Finally with regard to KOZs, several
24 speakers have talked about impact fees, and from a
25 website on impact fees highlighting some of the

1 frequently asked questions, an impact fee, according to
2 this website, can be used for very specific purposes,
3 and I will outline what they can be used for.

4 The legal authority to use impact fees
5 would be for facilities that are limited and linked to
6 basic services, such as water, waste water and roads
7 and drainage.

8 Sometimes within Home Rule Authority
9 there's a little bit more wiggle room for that, but
10 there are certain things that impact fees can be used
11 on.

12 Another question that's asked often
13 that is important with impact fees, particularly with
14 some of the KOZs that we're looking at currently, the
15 question is asked when are impact fees usually paid,
16 and the answer to that question is, according to this
17 website, most impact fees are paid at the time of
18 building permit issuance; however, some fees are paid
19 earlier at the time of subdivision or plan approval,
20 which puts us into a difficult situation, because we're
21 beyond that.

22 Again, I'm not professing to be an

23 expert in the KOZ impact fee situation, but there is
24 some information out there, and this may put us behind
25 the curve, and I, with Mrs. Garvey's help, will

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1 continue to research this and deliver some of that
2 information back to you.

3 And can we take those impact fees and
4 place them in the general fund? And the answer to the
5 question generally speak is again no. So, for us to
6 take an impact fee and place that in the general
7 budget, that may not be doable, again, according to
8 this website.

9 And then the last major question, there
10 are dozens of them, but are builders in support or
11 developers in support of impact fees? And this website
12 indicates that some developers are in favor of impact
13 fees because it does create a level playing field, and
14 I know that is one of the complaints of many of the
15 citizens in our community with regard to business KOZs
16 or residential KOZs, that it's not a level playing
17 field, particularly for established businesses.
18 So, some developers will be receptive
19 to impact fees and build them into the cost of the land

20 that they are developing in a KOZ zone, according to
21 this website. But, again, noting that we may be behind
22 the curve, because most of our KOZs are already
23 developed and many of our permits have been issued.

24 Finally with the research Mrs. Garvey
25 provided for me, one of the things that we need -- two

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1 of the things we need to be aware of and are legal
2 challenges to impact fees, and two of the main places,
3 and I know Mr. Attorney Minora will correct me and
4 certainly tell me, Bob, don't play lawyer, I'm the
5 lawyer, but the information here talks about challenges
6 regarding the original intent of the law and the fact
7 of equal taxation, and I know our former solicitor
8 cautioned oftentimes about selective taxation, and I
9 think there's a very slippery slope that we need to be
10 careful of considering the impact fees.

11 And finally, Mrs. Gatelli, there were
12 requests made regarding the pool fees, and on
13 February 28, we received correspondence from Attorney
14 Paul Kelly, who's the solicitor for the Municipal
15 Recreation Authority regarding -- these are total Nay
16 Aug expenditures and incomes.

17 And summarizing the middle paragraph,
18 For the summer season of 2005, the Recreation Authority
19 collected, \$56,830.58 for swimming fees at Nay Aug Park
20 and spent \$30,388.28 for miscellaneous expenses to
21 operate the pools.

22 The holiday season drew in donations
23 totalling \$33,853.04, and spent approximate \$6,400, and
24 that is from Attorney Paul Kelly. And that, Mrs.
25 Gatelli, is all. Thank you.

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1 MS. GATELLI: Well, thank you very
2 much.

3 MR. MCTIERNAN: You're welcome.

4 MS. GATELLI: Mr. Courtright.

5 MR. COURTRIGHT: Father Paul from St.

6 Ann's Church asked me to make this announcement. At
7 St. Ann's Basilica Church in West Scranton on Sunday,
8 March 26 at 5 p.m., Detective Steve McDonald, he's a
9 New York City police officer, he was shot in the back
10 while on duty in Central Park, and he is now a
11 paraplegic and is still on the police force.

12 He will be at St. Ann's on the 26th at

13 five to give a talk on forgiveness. So, Father Paul

14 asked me if I would mention that, and everybody is
15 welcome to attend that.
16 Not this past Sunday, but the Sunday
17 before as I was driving down Main Avenue, I saw the
18 fire trucks, so I pulled over. There was a fire in
19 Decker Court. And when I got there, smoke was coming
20 -- a lot of smoke was coming out of the eaves of the
21 house, and within a matter of minutes, it was over.
22 They were getting ready to pack up and leave, and I
23 couldn't understand it, how they got a fire put out so
24 quickly. And minimal damage to the house, just on two
25 rooms on the first floor. And the answer that the

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1 firefighters had given me was just they had arrived
2 there so quickly. And by them arriving so quickly, you
3 know, saved this home.
4 So, one of the best jobs I've ever seen
5 done by a fire department, and I couldn't believe how
6 quick they put it out.
7 Obviously paving is a major issue in
8 the city. I just have a couple of requests that were
9 made of me.
10 From the 1200 block to the 1600 block

11 of Washburn Street, if Mr. Parker could look into, Kay,
12 considering paving those blocks.

13 And on Parrot Avenue, a friend of mine,

14 Ralph Giordano, has been asking me for a while, and I

15 told him I don't have the authority to get it paved,

16 but I will ask. From Parrot Avenue from Sloan Street

17 to Locust Street is in very bad shape, if they could

18 also take a look at that and see if possibly we can get

19 it paved.

20 I mean, I'm from West Side, so I ride

21 these streets all the time, so I'm a little bit more

22 familiar with those roads.

23 I was at the Lithuanian flag raising,

24 and I know Mrs. Gatelli and Mrs. Evans was there two

25 Saturdays ago in City Hall, and a nice function.

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1 I took the opportunity -- the Mayor was

2 there, and I took the opportunity to talk to him. For

3 as long as I've been on Council, Mr. Walter Anterkowski

4 and many, many other people have asked me about

5 Fellows Park on Main Avenue in West Side.

6 I know in the past the playground

7 equipment fell in disrepair, we couldn't get much done

8 with it. Up until now neighbors, people from Willard
9 School, both parents and children and teachers also at
10 West Scranton High School, West Scranton Middle School,
11 they've been kind of taking care of that park the best
12 they could.

13 And I asked the Mayor if possibly we
14 could get some work done there. And he said yes. So,
15 they're going to -- hopefully they're going to put new
16 sidewalks in there and new playground equipment. And I
17 hope that happens very soon. I hope he holds true to
18 what he had told me there.

19 A gentleman by the name of Slivers gave
20 me some pretty good advice on City Council, so I want
21 to thank him for that.

22 I've been getting questioned recently
23 by a couple people about money that the CRF, what
24 happened with the money that was given for CRF, so I
25 never met this woman in person, but I called her on the

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1 phone and she answered my questions, her name is, I
2 don't think I ever met you, Leslie Mellow Collins.
3 I called her and asked her for some
4 information, and this is what she provided me for

5 projects that are possibly going to be funded.

6 There's an automobile dealership that

7 should be relocating from Dickson City into Scranton.

8 That's considered to be a multi-million project with a

9 potential of 40 -- in excess of 40 new jobs.

10 There's a private developer that bought

11 what is known by many as the Granito buildings across -

12 on Moosic Street across from Krispy Crème Donuts.

13 Several buildings there with a mix of properties for

14 retail and restaurants.

15 There's a private restaurateur, and

16 I'm not saying his name, I don't want any other

17 restaurant to say I'm giving him air time when I didn't

18 give them, he bought property on Spruce Street and is

19 renovating that and he's possibly going to be buying a

20 restaurant over in South Scranton and renovating that.

21 So, they're three projects that have been approved by

22 the bank and that CRF money is probably going to be

23 used for.

24 There are three or four other ones that

25 are still in its infancy, and, so, we're not at liberty

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1 to bring them up, because if it jeopardized those

2 project. As soon as I get the information on those
3 three or four or any other ones that they give to me, I
4 will pass it on to you, because I know there was great
5 concern about that. And that's all I have. Thank you.

6 MS. GATELLI: Thank you. Fifth order,
7 Mrs. Garvey.

8 MS. GARVEY: 5-B, FOR INTRODUCTION - AN
9 ORDINANCE - AUTHORIZING THE TRANSFER OF A PARCEL OF
10 LAND ACQUIRED BY THE CITY THROUGH THE FLOOD CONTROL
11 PROJECT BY SEALED BIDS TO THE HIGHEST BIDDER, PROPERTY
12 LOCATED AT 608 RACE STREET, AND IDENTIFIED AS TAX MAP
13 NUMBER 13509-030-023.

14 MS. GATELLI: At this time I'll
15 entertain a motion to introduce it into its proper
16 committee.

17 MR. COURTRIGHT: So moved.

18 MS. NEALON FANUCCI: Second.

19 MS. GATELLI: On the question? All
20 those in favor, say aye.

21 MS. EVANS: Aye.

22 MS. NEALON FANUCCI: Aye.

23 MR. MCTIERNAN: Aye.

24 MR. COURTRIGHT: Aye.

25 MS. GATELLI: Aye. Opposed? The ayes

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1 have it and so moved.

2 MS. GARVEY: 5-C, FOR INTRODUCTION - A

3 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

4 APPROPRIATE CITY OFFICIALS TO EXECUTE AN APPLICATION

5 FOR FUNDS UNDER THE COMMONWEALTH OF PENNSYLVANIA

6 REDEVELOPMENT ASSISTANCE CAPITAL PROJECT PROGRAM IN THE

7 AMOUNT OF \$4,000.000 FOR THE RENOVATION AND

8 REHABILITATION OF THE FORMER NORTH SCRANTON JUNIOR HIGH

9 SCHOOL AND TO RECEIVE AND DEDICATE THE SAID FUNDS TO

10 THIS PROJECT IF A SUCCESSFUL APPLICANT.

11 MS. GATELLI: At this time I'll

12 entertain a motion to put it in its proper committee.

13 MR. COURTRIGHT: So moved.

14 MS. NEALON FANUCCI: Second.

15 MS. GATELLI: On the question? All

16 those in favor.

17 MS. EVANS: Aye.

18 MS. NEALON FANUCCI: Aye.

19 MR. MCTIERNAN: Aye.

20 MR. COURTRIGHT: Aye.

21 MS. GATELLI: Aye. Opposed? The ayes

22 have it and so moved.

23 MS. GARVEY: 5-D, FOR INTRODUCTION - A

24 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER

25 APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO

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1 ENTER INTO A LOAN AGREEMENT AND MAKE A LOAN FROM THE

2 URBAN DEVELOPMENT ACTION GRANT REPAYMENT LOAN PROGRAM,

3 PROJECT NO. 400.14 IN AN AMOUNT NOT TO EXCEED

4 \$550,000.00 TO 500 LACKAWANNA DEVELOPMENT COMPANY TO

5 ASSIST AN ELIGIBLE PROJECT.

6 MS. GATELLI: At this time I'll

7 entertain a motion that it be introduced into its

8 committee.

9 MR. COURTRIGHT: So moved.

10 MS. NEALON FANUCCI: Second.

11 MS. GATELLI: On the question?

12 MS. EVANS: Yes. Can we find out if

13 this \$550 is part of the \$577 before we take -- it is a

14 resolution, so it's only going to require one

15 additional vote, so prior to that vote being taken, can

16 we have that information, please?

17 MS. GATELLI: Yes. Anyone else on the

18 question? All in favor.

19 MS. EVANS: Aye.

20 MS. NEALON FANUCCI: Aye.

21 MR. MCTIERNAN: Aye.

22 MR. COURTRIGHT: Aye.

23 MS. GATELLI: Aye. Opposed? The ayes

24 have it and so moved.

25 MS. GARVEY: 5-E, FOR INTRODUCTION - A

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1 RESOLUTION - AUTHORIZING THE MAYOR AND OTHER
2 APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A
3 CONTRACT FOR PROFESSIONAL SERVICES WITH THE LAW FIRM OF
4 CARL J. GRECO, P.C. FOR LEGAL SERVICES INCLUDING BUT
5 NOT LIMITED TO GENERAL COUNSEL TO THE OFFICE OF
6 ECONOMIC AND COMMUNITY DEVELOPMENT (OECD), URBAN
7 RENEWAL PROCESS AND PROCEDURE, EMINENT DOMAIN AND
8 RELATED LITIGATION, DISPOSITION OF SURPLUS URBAN
9 RENEWAL LANDS, TITLE SEARCHES AND DEED PREPARATION.

10 MS. GATELLI: At this time I'll

11 entertain a motion to introduce it into its proper

12 committee.

13 MS. NEALON FANUCCI: Second.

14 MS. GATELLI: On the question? All in

15 favor --

16 MR. MCTIERNAN: You need a first.

17 MS. GATELLI: Oh, I'm sorry. I thought

18 somebody said it.

19 MR. MCTIERNAN: Second.

20 MS. NEALON FANUCCI: Sorry. I jumped

21 the gun on my second.

22 MS. GATELLI: It's so routine

23 MS. NEALON FANUCCI: I know. I'm

24 sorry.

25 MS. GATELLI: On the question? All

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1 those in favor.

2 MS. NEALON FANUCCI: Aye.

3 MR. MCTIERNAN: Aye.

4 MS. GATELLI: Aye. Opposed?

5 MR. COURTRIGHT: No.

6 MS. EVANS: No.

7 MS. GATELLI: The ayes have it and so

8 moved. Just to make a comment there, Mr. Hickey will

9 be here next week to answer any questions that anyone

10 has about the procedure of choosing Attorney Greco.

11 So, he will be here next week, Kay. Do we have a

12 public caucus with Fiorini?

13 MS. GARVEY: Yes. We were supposed to

14 have that at 5:45. Do you want to cancel that or --

15 MS. GATELLI: No. Let's meet with

16 Hickey before that, 5:30.

17 MS. EVANS: And, you know what, as long

18 as we're having a meeting, could you take down this

19 list of information that I'd like him to provide,

20 please?

21 We do have a copy of the proposals.

22 I'm assuming it was advertised in only one newspaper.

23 I would like all of the contracts that have been

24 awarded for 2001, 2002, 2003, four, five, and six. I

25 would like the copies of the ads that ran in

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1 newspapers, in 2001, 2002, three, four, five and six.

2 I believe that Attorney Greco would

3 have taken this position effective January 2002, so I

4 would like to see the ads that were posted at the end

5 of 2005 for that, and I would also like to see the

6 evaluations, the written evaluations, of the committee

7 that examined the two proposals.

8 And I also wanted to thank

9 Mr. Courtright for his vote of confidence here in

10 saying no to this.

11 MR. COURTRIGHT: You're welcome.

12 MS. GATELLI: Just for your

13 information, Kay, I don't think there were any other

14 RFPs in those years. I don't think it was ever put out

15 to bid.

16 MS. EVANS: I agree with you that that

17 might well be the case, but I think if that indeed is

18 so, we need documentation of that.

19 Also, perhaps he can answer the

20 question as to how Attorney Greco is being paid for his

21 services from October 2004 through February 2006.

22 MS. GATELLI: Okay. Sixth order.

23 MS. GARVEY: Sixth order. 6-A, READING

24 BY TITLE - FILE OF COUNCIL NO. 22, 2006 - AN ORDINANCE

25 - AUTHORIZING AND APPROVING THE DESIGNATION OF PARKING

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1 SPACES FOR CERTAIN CITY OF SCRANTON PERSONNEL IN AND

2 ALONG DIX COURT, THE PARKING AREA IN THE REAR OF THE

3 CITY OF SCRANTON MUNICIPAL BUILDING, AND A PARKING LOT

4 ALONG MULBERRY STREET ADJACENT TO SCRANTON FIRE

5 HEADQUARTERS, AND AUTHORIZING THE CITY OF SCRANTON

6 POLICE DEPARTMENT TO ENFORCE THE PARKING DESIGNATION AS

7 REFLECTED IN THE ATTACHED SCHEMATIC.

8 MS. GATELLI: You've heard reading by

9 title of Item 6-A, what is your pleasure?

10 MR. COURTRIGHT: I move that Item 6-A

11 pass reading by title.

12 MS. NEALON FANUCCI: Second.

13 MS. GATELLI: On the question?

14 MS. EVANS: Did we find out if they're

15 going to provide an additional handicapped spot?

16 MS. GARVEY: Yes. Mr. Fiorini, I did

17 speak with him, Janet, and he said that he would take

18 care of that.

19 MS. EVANS: Excellent. Thank you.

20 MS. GATELLI: Just one more thing.

21 When you talk to Mr. Fiorini or Mr. Parker, that alley

22 is the worse alley I've ever driven in, and it needs to

23 be paved by next Wednesday, next Thursday.

24 MS. EVANS: Can I take you down to

25 Boulevard Avenue?

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1 MS. GATELLI: Oh, my goodness.

2 MS. EVANS: Or coming around the old

3 Scranton Lace, it's like riding in the old dodge-ems up

4 at Nay Aug Park.

5 MS. GATELLI: Somehow it was fun when I

6 was seven.

7 MS. EVANS: Yeah, it was fun then, and

8 there were no potholes on them, on the floor.

9 MS. GATELLI: Seventh order, Kay.

10 MS. GARVEY: 7-A, FOR CONSIDERATION BY

11 THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION -

12 FILE OF COUNCIL NO. 19, 2006 - AN ORDINANCE -

13 ESTABLISHING REGULATIONS FOR THE DISCHARGE OF STORM

14 WATER INTO THE SEWER SYSTEM PROVIDING FOR THE

15 ENFORCEMENT OF THIS ORDINANCE DEFINING CERTAIN ITEMS

16 AND IMPOSING PENALTIES.

17 MS. GATELLI: What is the

18 recommendation of the chairperson for public works?

19 MS. EVANS: As chair of the committee

20 on public works, I recommend final passage of Item 7-A.

21 MR. COURTRIGHT: Second.

22 MR. DIBILEO: On the question? Roll

23 call.

24 MR. COOLICAN: Mrs. Evans.

25 MS. EVANS: Yes.

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1 MR. COOLICAN: Mrs. Fanucci.

2 MS. NEALON FANUCCI: Yes.

3 MR. COOLICAN: Mr. McTiernan.

4 MR. MCTIERNAN: Yes.

5 MR. COOLICAN: Mr. Courtright.

6 MR. COURTRIGHT: Yes.

7 MR. COOLICAN: Mrs. Gatelli.

8 MS. GATELLI: Yes. I hereby declare

9 7-A legally and lawfully adopted.

10 MS. GARVEY: 7-B, FOR CONSIDERATION BY

11 THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION -

12 FILE OF COUNCIL NO. 20, 2006 - AN ORDINANCE -

13 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY

14 OFFICIALS TO ALLOCATE AMOUNTS NOT TO EXCEED \$577,000.00

15 FROM ACCOUNT NO. 91-400, REPAYMENT OF URBAN DEVELOPMENT

16 ACTION GRANTS, FOR VARIOUS ELIGIBLE PROJECTS.

17 MS. GATELLI: What is the

18 recommendation of the chairperson on community

19 development?

20 MS. NEALON FANUCCI: As chairperson for

21 the committee on community development, I recommend

22 final passage of Item 7-B.

23 MR. MCTIERNAN: Second.

24 MS. GATELLI: On the question?

25 MR. MCTIERNAN: Yes, Mrs. Gatelli. I

1 would like to just read some of the backup into the
2 record stipulating what this \$577,000 can be used and
3 is limited to.

4 And the resolution reads that it can be
5 used for newly created projects, including public
6 facilities, infrastructure improvements citywide,
7 public facilities, including parks and recreation
8 facilities improvements citywide, public services,
9 which would include public safety citywide, and the
10 clearance and elimination of blight citywide. And that
11 is all.

12 MS. GATELLI: Thank you.

13 MR. COURTRIGHT: On the question. I'm
14 in favor of almost every single thing that's going to
15 be covered in there, and -- I wouldn't want it to be
16 misconstrued otherwise, because I think in the past
17 when we voted on something similar to this, months
18 later we were said to be against buying police cars or
19 things to that effect, and that certainly is not my
20 intention.

21 Although I don't disagree with having a
22 tree house, I just don't think at this point in time

23 and the financial problems this city has, that I can go
24 along with spending \$150,000 of this money for a tree
25 house.

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1 I'm certainly not against the tree
2 house, and I think it is a worthwhile project, but just
3 not at this time. And for that reason and than reason
4 alone, I will be voting no on this.

5 MS. EVANS: Mr. Courtright, wouldn't
6 you agree with me that the tree house can and should be
7 built on donations?

8 MR. COURTRIGHT: I would certainly hope
9 so, and I believe Mr. Scopelliti, that was his hope
10 when he was here that evening.

11 MS. GATELLI: Yeah. And I believe that
12 most of it will be. I'm going to get it for next week.

13 MS. EVANS: But I share Mr.
14 Courtright's concern about that. As I noted much
15 earlier this evening, I have been flooded with phone
16 calls following the final meeting in February from
17 residents who are just so opposed to spending money
18 that way.

19 And as their voice on Council, I can't

20 approve this, because it's like turning my back on them
21 and saying, No, I don't need your opinion, I don't want
22 your input. So, I'm going to have to vote with
23 Mr. Courtright.

24 MR. COURTRIGHT: I would just say this,
25 you know, I was leaning towards voting no anyway, but

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1 in the last two weeks at several functions that I went
2 to, this was brought up to me. And I'm not saying it's
3 everybody's, but many of the people that spoke to me
4 about this, that was their concern.

5 I don't think anybody's against it, I
6 don't think anybody doesn't think it's a worthwhile
7 project, but their concern was at this point in time
8 they couldn't see spend that money.

9 And if there's anything I would be able
10 to do to help raise money for it, I will certainly be
11 happy to do that, but I just -- I don't want people to
12 think I'm against helping the handicapped people, I'm
13 not, absolutely not, I don't think anybody up here is.

14 MS. EVANS: I don't think, though, just
15 as an aside here, that the tree house is only for the
16 disabled, I think anyone is going to be able to, you

17 know, to go up and take a look at the gorge or to sit
18 down and have lunch.
19 I, you know, again, I'm off on a
20 tangent here. I do have safety concerns, though, about
21 -- especially over the evening hours how that's going
22 to be taken care of, you know, beyond that railing that
23 appears to be about hip high, but I think the greatest
24 consideration right now is financial.

25 And you know, if, in other words, if

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1 you have to pay your mortgage and your utilities, can
2 you really go out and get the Mercedes or the fur coat,
3 you know? You've got to have somewhere to live first
4 and you've got to be able to have running water and
5 heat and electricity. So, that's what I'm hearing, as
6 Mr. Courtright said, overwhelmingly from the people of
7 the city. So, I'm going to follow their direction.

8 MS. GATELLI: Well, I may agree to a
9 certain extent with that, but if you're voting no to
10 transfer the whole \$577,000, then we're jeopardizing
11 some other projects, too, not just the tree house.
12 Only \$150 is going to be the tree house, so now we're
13 not going to have the other \$400 to do other projects,

14 so --

15 MS. EVANS: Well, that may -- I don't

16 even know right now. That may be going into it

17 Lackawanna Avenue.

18 MS. GATELLI: I don't think so.

19 MS. EVANS: Well, then they would have

20 -- I assume they would be taking their entire amount of

21 UDAG allocations for 2006 for Lackawanna Avenue, which

22 then leaves very, very little to cover the needs of the

23 rest of the city.

24 MS. GATELLI: If they were taking the

25 \$550,000 for Lackawanna Avenue out of the \$577,000,

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1 there'd only be \$27,000 left, and they wouldn't be able

2 to do the tree house.

3 MS. EVANS: Unless they have that

4 amount of donations.

5 MS. GATELLI: No, I'm sure they don't.

6 Any way, I'm voting yes because I don't want to

7 jeopardize the little project that I may want to do for

8 \$150 out of the \$577.

9 MR. MCTIERNAN: Attorney Minora, can I

10 ask you a question, please? And I think I know the

11 answer, but I'll ask it anyway.

12 MR. MINORA: Shoot.

13 MR. MCTIERNAN: After, if this is

14 approved and there are projects that are worthy

15 projects of this, do those loans and projects have to

16 come before Council for final approval?

17 MS. GATELLI: Yes, they do.

18 MR. MINORA: They do.

19 MR. MCTIERNAN: So, there's none of

20 this money will be spent without our approval down the

21 road?

22 MS. GATELLI: No.

23 MR. MINORA: That's correct.

24 MR. MCTIERNAN: And just to reiterate,

25 there's been a lot of focus on the tree house, my

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1 conversations with the Mayor indicate that he's

2 expecting that a fair amount, if not all, of the money

3 for the tree house will come from donations, and that

4 the availability of some of that money would go towards

5 other park improvement projects throughout the city,

6 and I think someone mentioned today in their

7 conversations, the project that the West Scranton High

8 School students are working with their science teacher

9 at Fellows Park, I believe, so I agree with

10 Mrs. Gatelli that --

11 MS. GATELLI: I wouldn't want to just

12 jeopardize the whole amount because you don't want the

13 tree house.

14 MR. MCTIERNAN: A large amount of the

15 money, there will be a significant portion of this, I'm

16 hearing from the Mayor, can and will be used for paving

17 projects. And that's all I have, Mrs. Gatelli. Thank

18 you.

19 MS. EVANS: Well, unfortunately I

20 haven't heard anything from the Mayor on paving

21 projects or anything else.

22 MS. GATELLI: Yes, Janet, but all of

23 the -- whatever happens has to come to us anyway, so

24 you can vote no then.

25 MS. EVANS: I can vote no, but it will

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1 be irrelevant because --

2 MS. GATELLI: Why would it be

3 irrelevant?

4 MS. EVANS: Because if there are three

5 votes to do it, that's what's going to happen. The
6 Mayor is famous for saying, It only takes three. I
7 only need three.

8 MS. GATELLI: All right. Well, go
9 ahead. You made your point. All right. I don't know
10 where we're at now.

11 MR. MCTIERNAN: Roll call.

12 MS. EVANS: Roll call.

13 MS. GATELLI: My goodness. Roll call.

14 MR. COOLICAN: Mrs. Evans.

15 MS. EVANS: No.

16 MR. COOLICAN: Mrs. Fanucci.

17 MS. NEALON FANUCCI: Yes.

18 MR. COOLICAN: Mr. McTiernan.

19 MR. MCTIERNAN: Yes.

20 MR. COOLICAN: Mr. Courtright.

21 MR. COURTRIGHT: No.

22 MR. COOLICAN: Mrs. Gatelli.

23 MS. GATELLI: Yes. I hereby declare
24 that Item 7-B is legally and lawfully adopted.

25 MR. COURTRIGHT: Mrs. Gatelli, could I

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1 -- not to prolong this any, I had neglected to say when

2 I talked about the money for those projects earlier
3 that I spoke to Leslie about, and it just jogged my
4 memory of what Mr. McTiernan said, any of those
5 projects that I had mentioned before or any of the
6 projects come down the road in the future do have to go
7 by us.

8 So, if any of those projects are
9 projects that this Council doesn't feel are good
10 projects, we can vote it down. I neglected to say that
11 earlier, and I just want to make sure everybody knows
12 that.

13 MS. GATELLI: And the CRF money isn't
14 even here yet. Anyone that's interest, it hasn't come
15 yet.

16 MR. COURTRIGHT: But the questions are,
17 so -- okay. Sorry.

18 MS. GARVEY: 7-C , FOR CONSIDERATION -
19 BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR
20 ADOPTION - FILE OF COUNCIL NO. 21, 2006 - AN ORDINANCE
21 - AMENDING FILE OF COUNCIL NO. 157, 2005, ENTITLED, AN
22 ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE
23 OFFICIALS OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY
24 ACTIONS TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR
25 COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS TO BE

1 FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANTS,
2 (CDBG) PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME)
3 PROGRAM AND EMERGENCY SHELTER GRANT (ESG) PROGRAM, BY
4 REALLOCATING \$100,000.00 FROM PROJECT NO. 100,
5 COMPREHENSIVE HOUSING REHABILITATION PROGRAM, TO
6 PROJECT NO. 122, LEAD PROGRAM, WHICH IS ADMINISTERED BY
7 NEIGHBORHOOD HOUSING OF SCRANTON.

8 MS. GATELLI: What's the recommendation
9 of the chairperson for the committee on community
10 development?

11 MS. NEALON FANUCCI: As chairperson for
12 the committee on community development, I recommend
13 final passage of Item 7-C.

14 MR. COURTRIGHT: Second.

15 MS. GATELLI: On the question? Nobody
16 has a question?

17 MS. NEALON FANUCCI: Go with it.

18 MS. EVANS: Go with it.

19 MR. MCTIERNAN: Don't ask twice.

20 MS. GATELLI: Roll call.

21 MR. COOLICAN: Mrs. Evans.

22 MS. EVANS: Yes.

23 MR. COOLICAN: Mrs. Fanucci.

24 MS. NEALON FANUCCI: Yes.

25 MR. COOLICAN: Mr. McTiernan.

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1 MR. MCTIERNAN: Yes.

2 MR. COOLICAN: Mr. Courtright.

3 MR. COURTRIGHT: Yes.

4 MR. COOLICAN: Mrs. Gatelli.

5 MS. GATELLI: Yes. I hereby declare

6 Item 7-C legally and lawfully adopted. Do I have a

7 motion to adjourn?

8 MR. COURTRIGHT: So moved.

9 MR. MCTIERNAN: Second.

10 MS. GATELLI: We're adjourned.

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12 (MEETING WAS ADJOURNED.)

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1 C E R T I F I C A T E

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3 I hereby certify that the proceedings and

4 evidence are contained fully and accurately in the

5 notes taken by me on the hearing of the above cause and

6 that this copy is a correct transcript of the same

7 to the best of my ability.

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LISA M. GRAFF, RMR

11 Official Court Reporter

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